



SAFE/Saving Antiquities for Everyone Inc. P.O. Box 231172, New York, NY 10023-0020, USA

Cultural Property Advisory Committee  
Cultural Heritage Center  
SA-5, Fifth Floor  
Department of State  
Washington, DC 20522-0505

May 14, 2014

Dear Madame Chairperson and Members of the Committee:

SAFE/Saving Antiquities for Everyone (“SAFE”) supports Arab Republic of Egypt's request for a Memorandum of Understanding (“MoU”) [Docket No. DOS- -2014-0008] provided for under Article 9 of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (“Convention”) and Convention on Cultural Property Implementation Act [19 U.S.C. §§ 2601-2613 (1982)] (“CPIA”).

SAFE is a non-profit organization dedicated to preserving cultural heritage worldwide by raising public awareness about the irreversible damage that results from looting, smuggling and trading illicit antiquities. SAFE’s membership is predominantly American. Our concerns are consistent with the most recent national poll on this subject, conducted by Harris Interactive, which indicated that 96% of the American public favors laws that protect cultural heritage. This compels us to write to you today.

SAFE supports an MoU with the Arab Republic of Egypt under terms that are consistent with the statutory requirements of the CPIA, for the following reasons:

- (a) Egypt’s cultural patrimony is in jeopardy from the pillage of its archaeological and ethnological materials. Looting of ancient sites in Egypt has flourished in the years of chaos since the 2011 uprising, robbing this ancient civilization of its heritage to an inestimable degree. This problem has been recounted in scores of US and international media reports as well as analyses by various scholars of Egyptian archaeology about the effects of looting on specific historical periods. And while Egypt has recovered more than 1,000 artifacts since 2011, the immeasurable loss of information cannot be retrieved. As long as looting continues unchecked, the cultural patrimony of Egypt remains in grave danger.
- (b) Egypt, a State Party to the Convention since 1973, has taken measures to protect its cultural patrimony that are consistent with the Convention. The Egyptian Government has made serious efforts to protect its archaeological sites from pillage, has trained its Customs and other law enforcement entities to prevent the illegal export of archaeological objects, and has a comprehensive legal regime in place that protects its archaeological sites, which the Government vigorously enforces. While Egyptian cultural property law vests ownership of archaeological materials with the State, there is ample evidence that ordinary Egyptians have taken a personal interest in this problem and played a direct role since 2011 in protecting ancient sites and raising awareness about the multiple dangers that Egypt’s cultural patrimony now faces. Such efforts by ordinary citizens, as outlined on the SAFE web site <http://bit.ly/1mVnSi8> (see Appendix 1) and elsewhere, underscores the fact that cultural heritage is not a mere commodity; it is inextricably linked to the identity, beliefs and aspirations of the people. The Egyptian people are seeking help from their trading partners such as the United States to protect their cultural heritage. By imposing limited import restrictions, as permitted by the CPIA, the United States can provide much-needed help.

(c) Other States Parties to the Convention that also have an import trade in the types of artifacts for which US protection is sought also prevent the import of, or otherwise restrict the trade in, the same types of undocumented artifacts from Egypt. Highly publicized recovery and return of Egyptian artifacts from Israel, Germany, Belgium, the US and other States Parties to the Convention have occurred in recent months.

(d) The imposition of import restrictions is consistent with the interest of the international community in the interchange of cultural materials for scientific, cultural and educational purposes. Ample records exist of the many loans of archaeological and ethnological materials that Egypt has made to United States museums for short and long-term exhibition, study and conservation purposes, as well as opportunities for US scholars to study these materials through both excavations and access to materials in Egypt.

While we recognize that collectors, dealers and auctioneers of ancient Egyptian coins have requested that coins be exempted from any import restrictions that the Committee may recommend, we urge the Committee to adhere to the letter and spirit of the CPIA. Article 1(e) of the Convention defines "cultural property" to include "antiquities more than one hundred years old, such as ... coins...." And the CPIA defines "archaeological material of the State Party" to mean "(A) any object of archaeological interest" and for the purposes of this definition, "(i) no object may be considered to be an object of archaeological interest unless such object-- (I) is of cultural significance; (II) is at least two hundred and fifty years old; and (III) was normally discovered as a result of scientific excavation, clandestine or accidental digging, or exploration on land or under water..."

Surely, coins minted in Egypt during the Ptolemaic and later periods are "of cultural significance" and are "normally discovered as a result of scientific excavation and [increasingly] clandestine or accidental digging, or exploration." Therefore, Egyptian coins cannot be excluded from any reasoned discussion or recommendation that the Committee may undertake.

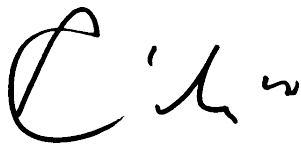
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While an MoU is being negotiated with a requesting country, the CPIA allows the US to impose import restrictions unilaterally if the criteria for an emergency situation are satisfied. We hope that the committee will seriously consider recommending that import restrictions be imposed for the most endangered classes of Egyptian archaeological and ethnological materials, with all due speed, pending the resolution of final terms for a formal MoU with Egypt.

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In closing, SAFE hopes the Committee's deliberations will reflect the preferences and values of the vast majority of Americans. We hope your decision will support longstanding, U.S. foreign policy objectives by agreeing to Egypt's request for assistance that it deserves.

Respectfully,

A handwritten signature in black ink, appearing to read 'Cindy Ho', with a stylized flourish at the end.

Cindy Ho  
President, SAFE/Saving Antiquities for Everyone, Inc

## What is Egypt doing to protect its cultural heritage?

### Relevant laws and treaties

Protecting Egypt's cultural heritage is enshrined in the country's constitution, with Articles 12 and 49 committed to protecting Egyptian heritage through education and artistic freedom. Yet while the excavation and exploitation of ancient Egyptian sites dates back hundreds of years, the UNESCO Database of Cultural Heritage Laws indicates that it wasn't until 1912 that the "Regiment pour l'Exportation des Antiquites" established a structured system for the exportation of antiquities.

The 1983 Law on the Protection of Antiquities clearly states that, "all antiquities are considered public property." Any antiquity originating from Egypt belongs to the government and may not be obtained, purchased, or sold by a private individual. The 1983 law also gives merchants a grace period of a year to liquidate any antiquities that they might have in their possession—a time limit that has clearly been violated for more than two decades.

International treaties include the 1954 [Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict](#) (with Regulations for the Execution of the Convention) and the 1970 [UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property](#).

### Other Efforts



The local community of Dahshur Past Preservers

In May 2013, ordinary citizens joined together to protect the site of Dahshur around the clock in response to the reports of looting round the pyramids.

After looters broke into the Cairo Museum in 2011, hundreds of people formed a human chain around its perimeter to prevent the looters from escaping. This kind of story is inspiring and it demonstrates the public's desire to protect Egypt's cultural heritage, although it is not feasible for such actions to be taken at every site in Egypt.

In June 2013, the [National Committee of Egyptian Archaeological Sites](#) was established to oversee the protection of Egypt's World Heritage sites. The committee includes representatives from the Ministry of State for Antiquities as well as regional representatives. However, this committee provides little respite for un-inscribed sites from the epidemic of looting and destruction.

Fekri Hassan, the cultural heritage director at Egypt's French University, is working with the United Nations to train "heritage guardians" as guides for Dahshur, a site that has taken the brunt of much of the looting.

According to this report in the [Cairo Times](#), the world's largest online auction site eBay has agreed with the US Egyptian Embassy to stop the sale of Egyptian antiquities. This could mean a significant deterrent to the illicit trade, and in turn, a disincentive to loot.

Archaeologists such as [Monica Hanna](#), have spoken out in defense of Egypt's cultural heritage, and made important issues part of a public discussion. There have also been efforts via social media, such as the Facebook page "[Stop the Heritage Drain](#)" and "[Egypt's Heritage Task Force](#)," which post pictures and live updates of sites damaged by looting.

Edit

**Every day, Egyptians risk their lives to prevent organized gangs from stealing . our heritage. Our country is not the only place under attack: Iraq, Syria, Libya, Peru and Guatemala are suffering similar assaults on their heritage.**

*Mohamed Ibrahim, Egypt's Antiquities Minister*

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LIGHT A CANDLE FOR GLOBAL HERITAGE



Civilians form human chain around Cairo Museum

A partial list of efforts to protect and preserve Egypt's cultural heritage

- May 2014  
Antiquities theft foiled in Giza
- Campaign launched to curb U.S. import of Egyptian antiquities
- April 2014  
Assistance in recovering stolen Egyptian heritage
- March 2014  
US to return smuggled antiquities to Egypt: Min. of Antiquities
- December 2013  
France returns five ancient artifacts to Egypt
- November 2013  
Israel returns recovered artifacts to Egypt
- October 2013  
Egyptian Museum retrieves almost half of stolen artifacts
- May 2013  
Britain's largest seize of stolen artefacts since Egypt's revolution
- May 2011  
Old Kingdom relief first artefact repatriated to Egypt after revolution
- 2011  
'Missing' Treasures Returned to Egyptian Museum
- Official: Restoration work begins on damaged Egyptian artifacts
- Alexandria Library saved
- In pictures: Egypt restores damaged treasures
- Egypt's Antiquities Minister Says Valuable Statue Found