

On April 16, 2014, the U.S. Department of State published notification in the *Federal Register* of the receipt of a request from the Government of the Arab Republic of Egypt to the Government of the United States of America for import restrictions on archaeological and ethnological material from Egypt representing its prehistoric through Ottoman heritage. This request is submitted pursuant to 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* as implemented by the *Convention on Cultural Property Implementation Act* (19 U.S.C. 2601 *et seq.*).

The following public summary, authorized by the Government of Egypt, is derived from that request. It does not necessarily represent the position of the Government of the United States on this matter.

In its request, the Government of Egypt offers a brief history of human settlement within its borders, an analysis of the pillage of its archaeological and ethnological materials, a description of its efforts to mitigate the problem, the international trade in Egyptian cultural material, and the benefits that import restrictions might confer.

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PUBLIC SUMMARY

Request by the Government of the Arab Republic of Egypt to the United States of America for Imposing Import Restrictions to Protect its Cultural Patrimony under Article 9 of the UNESCO Convention (1970)

Ancient Egypt is one of the oldest civilizations, lasting through more than 40 centuries. Its achievements in science, art, religion, and architecture were influential for social and cultural developments across the ancient world, and for civilizations that followed. The legacy ancient Egypt produced is universally admired. Egypt requests help to protect its ancient heritage, not only for Egypt, but for all humanity. There are historical and ongoing violations of archaeological sites and sacred places that constitute a major threat to Egypt's cultural patrimony. These violations destroy interconnected layers of civilization, erasing the history of these sites and endangering the national memory of Egypt.

Summary of the Cultural History of Egypt

Ancient Egypt was one of the world's earliest complex societies. Climate change was likely the main factor that prompted Egyptians to adopt sedentary agriculture and settle at a permanent water source – the Nile River. Initially, the ancient Egyptians settled on the outskirts of the cultivable land where they developed agriculture and the domestication of animals. Then, the initial nucleus of residential communities emerged in the fifth millennium BC. What is left of that era includes pottery and burials.

These prehistoric communities grew into scattered villages then settled regions. The regions united with each other to form the two kingdoms, one in the north and another in the south. It is probably not a coincidence that writing appears at the same time as the unification of the two kingdoms by King Narmer in approximately 3200 BC. Preserved records reflect the

division of subsequent Egyptian history into the Old Kingdom, the Middle Kingdom, and the New Kingdom, periods which comprise 30 governing dynasties in total.

The most important architectural achievement of the Old Kingdom was the first monumental stone building – the Step Pyramid of King Zoser. This pyramid was designed by the genius architect Imhotep in the 3rd Dynasty (2670 BC). In the 4th Dynasty (2590 BC), King Khufu built the Great Pyramid in Giza. At 138 meters in height, it is the only remaining structure from the classical “Wonders of the Ancient World.” Khufu’s successor, King Khafre, built his own pyramid and the Sphinx at Giza, one of the most prominent sculptures of the ancient world.

During the Middle Kingdom (ca. 2055 – 1795 BC), the efforts of the Egyptians tended to be directed toward major agricultural projects. Artistic creativity, including sculpture and engraving, also reached its golden era. Literature was marked by the development of longer stories, such as those of the drowned sailor and, especially, of Sinuhe.

In the New Kingdom (ca. 1550 – 1050 BC), Egypt witnessed the era of the great kings; they included Thutmose III, who is known as the “Napoleon of the ancient world” as well as King Akhenaton, the first of all monotheists, who advocated the existence of a single god named Aten. Akhenaton was also known for his poem song to Aten, which shares noteworthy parallels to poetry from the Hebrew bible such as Psalm 104. There was also the young Pharaoh, the Golden King, Tutankhamun, as well as Ramses II, known as the king of war and peace.

Egyptian civilization continued through ups and downs until the arrival of Alexander the Great to Egypt in 332 BC. Alexander entrusted his famous Greek architect Dinokratis to build a city bearing his name and thus perpetuating his memory over time. The city of Alexandria became famous in the ancient world as a center of learning, attracting many Greek thinkers to live in Egypt. During this time there is also a mixing of artistic styles and forms between the Persian east and the Hellenistic west.

The Ptolemaic kings succeeded Alexander the Great as rulers of Egypt. Though they were not Egyptians, many temples were rebuilt in the Egyptian style during their time, such as the temples of Philae, Edfu, and Dendera. The “Lighthouse of Alexandria,” another of the “Wonders of the Ancient World,” was also built during this time. The most famous queen in the age of the Ptolemaic kings was Queen Cleopatra VII. During her reign, the Roman military leader Octavius invaded Egypt to depose Cleopatra and Anthony, with the goal of converting Egypt into a Roman province.

In 40 AD, St. Mark arrived in Egypt to preach the Christian religion. Christianity spread and became a popular religion before it was adopted as the official religion. During the period of the Roman persecution against the Egyptians, many monasteries were built in the desert to worship safely. This era produced unique art, namely Coptic art (the art of Egyptian Christians). The most characteristic elements of this art were icons, textiles, pottery, sculptures, and frescos.

In 642, the Arab conqueror Amr ibn al-Aas brought the new religion of Islam to Egypt. This marked the beginning of a new period in Egyptian history, and one of the most important phases of the Islamic world. The Islamic era produced a legacy that is culturally unique,

especially in its architecture in the form of mosques, schools, mausoleums, public fountain houses (*sabil*) as well as caravanserai (*wikala*). There was wide range of minor arts.

Other Information Provided by the Government of Egypt

The Cultural Heritage of Egypt Endangered

In its request, Egypt notes the phenomenon of looting at archaeological sites is not new, and was certainly present before the revolution began in January 2011. Since then the situation has worsened, with looters making use of modern machinery like bulldozers. Before the revolution, there were approximately 1,200 cases of looting every year; since then, this number has doubled, with a total of over 7,000 cases in the past three years. The encroachments represented by clandestine digging signify both illicit excavations and construction inside the boundaries of archaeological sites.

Fundamental archaeological sites are exposed to danger. Looting is widespread, being observed at the archaeological sites of Giza, Abu Sir, Saqqara, Dahshur and Al-Lesht, in the cities of Armant, Esna, and Alexandria, in the Governorates of Beni Suef, Minya, Luxor, Aswan, and ash-Sharqiyyah, and in the North Sinai area. Museum storage facilities at Qantarah East, Saqqara, Mit-Rahina, and the Island of Aswan, among others, have been the targets of theft and looting. Egypt reports that pillage, thefts, and urban development also threaten Islamic period archaeological and ethnological sites. For example, tombs, mosques, churches, and historic homes at Khan Al-Zerakishah at Al-Azhar and Al-Ghoury have been subject to damage.

Museums have also suffered losses. Egypt states that since 2004, the Egyptian Museum in Cairo has been robbed three times, and the Mallawi Museum was pillaged in 2013, with the theft of a large portion of its collection. Most recently the Museum of Islamic Art suffered massive destruction as a result of a car bomb explosion in front of the neighboring Cairo Security Directorate. This incident inflicted grave damage to the holdings displayed inside the museum, especially the glass pieces, which are tremendously difficult to restore.

Legal Systems for the Protection of Cultural Heritage

Egypt notes that its cultural patrimony comprises all artifacts produced during the prehistoric eras through the Ottoman Period, whether they have been discovered as a result of scientific excavation, surreptitious digging or illicit exploration on the ground or underwater. The *Emergency Red List of Egyptian Cultural Objects at Risk*, produced by the International Council of Museums in consultation with officials from the Egyptian government, describes categories or types of objects, archaeological and ethnological, representing this patrimony that are in jeopardy from pillage and illicit trafficking.

According to the request, fixed and movable Egyptian antiquities have had special legal protections for more than 150 years, starting with the decree of August 15, 1835 during the emergence of the modern Egyptian State. More recent laws (e.g., No. 215 of 1951, No. 117 of 1983) are stringent for the protection and management of objects and monuments, and include provisions that regulate licenses for excavation, abolish the export of protected objects outside Egypt, stop the licensed trading in artifacts, and more clearly emphasize the public ownership of Egyptian antiquities. There are stiff penalties of fines and imprisonment for smuggling,

excavations without a license, and unlawful export, all aimed at curbing pillage and trafficking of artifacts.

Egypt states the current Constitution (2014) continues the government's commitment to protect and preserve monuments and archaeological areas, including maintenance, restoration and recovery of artifacts that have been seized. The Egyptian State is committed to preserving Egypt's tangible and intangible cultural heritage in all its diversity from the ancient Egyptian to the Coptic and Islamic, as well as its contemporary architectural, cultural, literary and artistic legacy.

Entities that Protect and Promote Cultural Heritage

Egypt explains that there are several authorities in place with the responsibility of protecting and preserving cultural heritage. The Ministry of Antiquities is the authority that handles matters relating to archaeological and ethnological artifacts, their maintenance, protection, restoration and examination, as well as the assessment of their importance and historical and archaeological value. The Ministry is entrusted to coordinate with other State bodies regarding maintaining the monuments, archaeological sites and affiliated museums, as well as the issuance of licenses for any activity at archaeological sites. The Ministry includes subject matter expert sectors and several departments dedicated to conservation, site security, the management of the national museums, and the prevention of smuggling. The Ministry of Interior's Antiquities Police investigates crimes at archaeological sites and also fights against the trafficking of antiquities.

Egypt's museum system includes major national museums like the Egyptian Museum, Islamic Museum, Greco-Roman Museum, and Coptic Museum, in addition to numerous historical and regional museums like the Nubian Museum in Aswan, National Museum of El Arish, and Alexandria National Museum. The museum sector is also growing with two new facilities currently under construction: the Grand Egyptian Museum and the Museum of Civilization.

According to the request, the Ministry of Antiquities develops public awareness and school programs to help Egyptians understand the importance of the national cultural heritage. It does this by designing educational programs for children in all museums, and providing special care for raising awareness of Egypt and its civilization in the public. It also creates various initiatives to attract all sectors of Egyptian society to visit the museums throughout the various governorates.

Markets for Egyptian Antiquities

In its request, Egypt says the United States is one of the largest markets for antiquities. Recent seizures and repatriations, as well as current investigations, make clear that the U.S. market includes artifacts stolen from Egypt. Examples of closed cases include part of the wall of the first compartment of King Seti, stolen from Meit Rehinah (recovered in 2001), an alabaster statue in the form of a duck stolen from Dahshur (recovered in 2007), artifacts stolen from the storage depot of the Faculty of Arts in Maadi (recovered in 2008), and a Third Intermediate

Period wooden sarcophagus (recovered in 2010). The imposition of import restrictions in the U.S. market will have an impact as it will help reduce the incidents of looting in the country of origin.

Besides the United States, which is one of the largest markets for displaying Egyptian artifacts, Egypt states that there are other markets that trade in Egyptian antiquities, especially in Europe, Australia and Israel. The existence of stolen Egyptian artifacts offered for sale at various auction houses demonstrates this global demand.

Benefits for the International Community

The application of import restrictions is consistent with the public interest of the international community regarding the exchange of cultural property for scientific and cultural purposes, where the artifacts can be displayed outside the country of origin, based on the decree by the President or his authorized representative in this regard.

Such application of import restrictions can also allow sharing or exchanging the artifacts with other countries or museums, as well as cooperation and collaboration with official or scientific Arab or foreign institutes, after obtaining the approval of the Board of Directors. Though foreign exhibitions have been recently affected by the political and security events taking place in Egypt, historically a wide range of exhibitions have been held worldwide, including, for example, shows in the United States such as *The Golden Age of the Pharaohs* (2005-2008), *At the Beginning: 1,000 Years before the Gospels* (2006-2007), and *Tutankhamun – The Golden King and the Great Pharaoh* (2008-2012).