



May 28, 2024

Dr. Alexandra Jones, Chair, Cultural Property Advisory Committee and  
Members, Cultural Property Advisory Committee  
U.S. Department of State  
2200 C Street, NW  
Washington, DC 20037

Dear Dr. Jones and Members of the Cultural Property Advisory Committee,

The Archaeological Institute of America (AIA), with its membership of approximately 200,000 professional archaeologists, corresponding members, students, and enthusiasts united by a shared passion for archaeology and its role in furthering human knowledge, expresses its strong support of the request by the Government of Ecuador to extend the Memorandum of Understanding (MOU) (signed in Quito on May 22, 2019, effective February 11, 2020) concerning import restrictions on archaeological materials dating from about 12,000 B.C. to 250 years ago and certain ethnological material, which may include categories of Colonial period ecclesiastical material and Colonial period secular paintings, documents, and manuscripts dating between A.D. 1532 and A.D. 1822.

At the core of its mission, the AIA promotes archaeological inquiry and public understanding of the material record of the human past to foster an appreciation of diverse cultures and our shared humanity. The AIA supports archaeologists, their research and its dissemination, and ethical professional practice; educates people of all ages about the significance of archaeological discovery; and advocates for the preservation of the world's archaeological heritage.

Ecuador is a country rich with landscapes, sites, and monuments spanning from early Paleo-Indian cultures to colonial modernity; especially famous for the remains of its pre-Columbian and indigenous sites<sup>1</sup>. For example, the monumental remains of Cochasquí, a major pre-Inca ceremonial center in the highlands of northern Ecuador near Quito, feature fifteen “truncated” pyramid mounds and several royal burial mounds (dating to 950-1530 CE), residential neighborhoods, and other features in an 84 ha area. Many of the early archaeological cultures and Incan sites, such as Ingapirca, situated in the territories of Ecuador, are the subject of research by an international team of scholars<sup>2</sup>. It is also important to point out the unparalleled ecological heritage in Ecuador from the Amazons and the geological heritage of its active volcanoes, such as those in the Sangay National Park (inscribed to the UNESCO World Heritage List in 1983)<sup>3</sup> to the Galápagos Islands in the Pacific Ocean, a crucial

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<sup>1</sup> See O. Hugo Benavides, “Archaeology, Globalization and the Nation: Appropriating the Past in Ecuador” In: Silverman, H., Isbell, W.H. (eds) *The Handbook of South American Archaeology*. Springer, New York, NY. [https://doi.org/10.1007/978-0-387-74907-5\\_53](https://doi.org/10.1007/978-0-387-74907-5_53) (Accessed 5/26/2024)

<sup>2</sup> María Fernanda Ugalde & Eric Dyrdaahl, “Sedentism, Production, and Early Interregional Interaction in the Northern Sierra of Ecuador” In: Bonomo, M., Archila, S. (eds) *South American Contributions to World Archaeology*. One World Archaeology. Springer, Cham. [https://doi.org/10.1007/978-3-030-73998-0\\_13](https://doi.org/10.1007/978-3-030-73998-0_13)

<sup>3</sup> <https://whc.unesco.org/en/list/260> (Accessed 5/26/2024).



site of scientific research on biodiversity (inscribed to the UNESCO World Heritage List in 1978)<sup>4</sup>. Indigenous and local communities in Ecuador are immensely passionate about their archaeological, ancestral, and ecological heritage, especially when coming to terms with deep histories of indigeneity and colonialism. Earlier this year, we heard about exciting discoveries of previously unknown prehistoric settlements beneath the ancient Amazon rainforest in Ecuador's Upano Valley, made visible by the growth of Light Detection and Ranging (Lidar) technology as well as fieldwork<sup>5</sup>.

Here, we discuss archaeology and the preservation of cultural heritage in Ecuador within the four statutory determinations that must be fulfilled for the United States to enter into a memorandum of understanding imposing import restrictions on certain categories of stolen or illegally exported cultural property. Our comments focus on the first, second, and fourth determinations.

The first determination requires that the cultural patrimony of the requesting State be in jeopardy from the pillage of archaeological materials. Looting of archaeological and historic sites in Ecuador is a reality of everyday life in the embattled regions within Ecuador, despite the genuine efforts of the Ecuadorian Government, the Non-governmental Organizations, and the local communities to safeguard landscapes of heritage, archaeological sites, museums, and artifacts. For instance, as Research Scientist at Colorado State University in Fort Collins, Colorado, Professor Emeritus James Zeidler has pointed out, "Northern Manabí Province of coastal Ecuador has long been a center of archaeological looting and illicit trade in antiquities derived from successive cultural occupations of the Formative Period Valdivia and Chorrera cultures and the long Jama-Coaque cultural tradition, a sequence spanning some 3,500 years."<sup>6</sup> The globally desired sophisticated ceramic artifacts from this region have found their way to private collections through looting networks. Zeidler's archaeological survey in Jama River Valley assessed "the negative impacts of this unabated looting on the regional archeological record," while he places the "boom period of industrial looting" to the aftermath of 1972 in the region<sup>7</sup>. It is also common to find news media reports about pre-columbian Ecuadorian antiquities encountered in auctions, borders, or other contexts of circulation. For instance, in February of 2021, Reuters reported that "Brazil's federal police seized three pre-Columbian archaeological pieces... that had been auctioned at a Rio de Janeiro art galley" and that two of the pieces were "from the Jama Coaque culture... in what is today the coastal province of Manabí in northeastern Ecuador..."<sup>8</sup>

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<sup>4</sup> <https://whc.unesco.org/en/list/1> (Accessed 5/26/2024)

<sup>5</sup> Gareth Harris, "Plazas and pottery: oldest Amazonian cities uncovered in major archaeological discovery in Ecuador" (Art Newspaper 15 January 2024) <https://www.theartnewspaper.com/2024/01/15/oldest-amazonian-cities-uncovered-in-major-archaeological-discovery-in-ecuador> (Accessed 5/26/2024). Published also in Stephen Rostain et al., "Two thousand years of garden urbanism in the Upper Amazon" *Science* 11 January 2024.

<sup>6</sup> James Zeidler, "Message in a Bottle: Assessing the Impacts of Looting on the Archaeological Record of the Jama River Valley, Coastal Ecuador." Presented at The 80th Annual Meeting of the Society for American Archaeology, San Francisco, California. 2015 <https://core.tdar.org/document/396899/message-in-a-bottle-assessing-the-impacts-of-looting-on-the-archaeological-record-of-the-jama-river-valley-coastal-ecuador> (Accessed 5/26/2024).

<sup>7</sup> James Zeidler, "Message in a Bottle: Assessing the Impacts of Looting on the Archaeological Record of the Jama River Valley, Coastal Ecuador." We are grateful to Professor Zeidler for sharing the unpublished text of his symposium presentation.

<sup>8</sup> "Pre-Columbian artifacts auctioned in Brazil recovered by police" Reuters February 12, 2021 <https://www.reuters.com/article/idUSKBN2AC2N6/> (Accessed 5/26/2024).



The second determination requires that a requesting State have “taken measures consistent with the 1970 UNESCO Convention to protect its own cultural patrimony.” Such measures include the adoption and enforcement of legal provisions to protect cultural patrimony; the creation of a national inventory of protected cultural property; the establishment of an antiquities service (or similar government agency); the establishment of scientific and technical institutions such as museums and universities; taking public educational measures; and organizing the supervision of archaeological excavations. There are five UNESCO World Heritage sites in Ecuador, including the urban heritage of the capital city of Quito (inscribed in 1978), including historic monuments such as the monasteries of San Francisco and Santo Domingo, and the Church and Jesuit College of La Compañía<sup>9</sup>. Similarly important are the historic center of the inland colonial town of Santa Ana de los Ríos de Cuenca settled in a valley among the Andean mountains in southern Ecuador (inscribed in 1999)<sup>10</sup> and the unique Andean road system of Qhapaq Ñan, “trade and defense network of roads covering 30,000 km” (inscribed in 2014)<sup>11</sup>.

The Ministry of Culture and Heritage of Ecuador (established in 2007) is the main governmental unit that is responsible for safeguarding archaeological sites, museums, monuments, and artifacts. National Institute of Cultural Heritage of Ecuador is in charge of the preservation, conservation, appropriation, and adequate use of cultural heritage, based on the public policy issued by the Ministry of Culture and Heritage of Ecuador<sup>12</sup>. These responsibilities of the National Institute of Cultural Heritage are outlined in Ecuador’s legislation *Ecuador EC093 Ley Orgánica de Cultura*, (effective 30 December 2016) Title VII- *Del Subsistema de la Memoria Social y el Patrimonio Cultural. Capítulo 7.- Del régimen general de protección de los bienes patrimoniales*, Articl. 77.- *De los trabajos en suelo y subsuelo*.<sup>13</sup> This unit’s most recent report “Accountability 2023” summarizes the management, direction and control of archaeological projects, conservation and safeguarding of cultural patrimony<sup>14</sup>. The report lists 127 ongoing authorized archaeological expeditions for the year 2023 in various provinces of the country. According to the same report, the archaeological site of Ingapirca received 103,033 visitors in 2023 (of which 16,778 were foreign tourists), a 23% increase from the previous year. The Ecuadorian government has also invested \$2 million to establish Resfa Parducci National Technical Reserve of Archaeology and Paleontology (Reserva Técnica Nacional de Arqueología y Paleontología Resfa Parducci) to support state-of-the-art labs and storage facilities for the conservation and preservation of archaeological collections. Similar support has been provided to in-situ architectural conservation at archaeological sites and historic architectural fabric. It is clear from this report that the Ecuadorian government is deeply invested in the proper stewardship of archaeological and other heritage collections.

The fourth determination looks to whether import restrictions are “consistent with the general interest of the international community in the interchange of cultural property among nations for scientific, cultural, and

<sup>9</sup> <https://whc.unesco.org/en/list/2> (Accessed 5/26/2024)

<sup>10</sup> <https://whc.unesco.org/en/list/863> (Accessed 5/26/2024)

<sup>11</sup> <https://whc.unesco.org/en/list/1459> (Accessed 5/26/2024)

<sup>12</sup> See <https://www.patrimoniocultural.gob.ec/> (Accessed 5/26/2024)

<sup>13</sup> <https://www.wipo.int/wipolex/en/text/443972> (Accessed 5/26/2024)

<sup>14</sup> <https://www.patrimoniocultural.gob.ec/rendicion-de-cuentas-2023/> (Accessed 5/26/2024)



educational purposes.” Among other criteria, this determination considers whether a requesting State is receptive to collaboration with foreign, especially American, researchers and whether it is willing to lend cultural objects to foreign, particularly American, institutions. There have been extensive collaborations between Ecuadorian research institutions and those in Europe and the United States. American archaeological projects in Ecuador include *the Proyecto Arqueológico de los Ríos Culebra-Colín (PARCC)* an archaeological research project, directed by Professors Sarah Rowe and Guy S. Duke (Department of Anthropology at the University of Texas Rio Grande Valley) in “the lands alongside the Culebra and Colín Rivers, comprising the upper watershed of the Manglaralto Valley, and the lands of the [Dos Mangos] *comuna*.”<sup>15</sup> To this, one might add the *Proyecto Arqueológico Zuleta*, the excavations at the Hacienda Zuleta, a colonial-era hacienda nestled in the eastern cordillera of the Andes in northern highland Ecuador with an extensive and storied history dating back before the arrival of the Spanish in 1532. The project is based at Institute for Field Research (IFR), Los Angeles, CA and directed by Dr. David O. Brown, and others<sup>16</sup>. This excavation allows U.S. students “a culturally immersive field school experience at one of the most ecologically and historically unique sites in Ecuador.”<sup>17</sup> Another available field school for U.S. students is excavations and fieldwork at Agua Blanca, the largest of the Manteño settlements of south Manabí, located in the Buenavista River valley approximately 8km from the sea. The site is known as a settlement site of the “Calangome chiefdom”.<sup>18</sup>

Recent years have also seen collaborations in the form of exhibitions in the United States. A recent example is Denison Museum’s “Unarchive the Museum: Archaeological Collections and Replicas from Ecuador,” curated by Pamela Cevallos through a collaboration with the La Pila community in the province of Manabi and engaging with the local craftsmanship of that community for producing archaeological replicas<sup>19</sup>. In 2021, Universidad Yachay Tech (a public university in San Miguel de Urcuquí, Imbabura Province, Ecuador) received a grant from the U.S. Ambassador’s Fund for Cultural Preservation (\$220,000) to finance their project *Safeguarding the Caranqui Cultural Heritage in Northern Ecuador* “seeks to preserve the local cultural heritage of Urcuquí, excavated by Ecuadorian archaeologists during the construction of infrastructure around the university.”<sup>20</sup>

In consideration of the discussion of the four determinations above, we respectfully ask that the Committee recommend support of the request by the Government of Ecuador to enter into a memorandum of understanding that protects its cultural patrimony from pillage. We are grateful for the opportunity to comment.

Sincerely,

Elizabeth S. Greene, Ph.D., RPA, President, Archaeological Institute of America

<sup>15</sup> <https://faculty.utrgv.edu/sarah.rowe/PARCC.html> (Accessed 5/26/2024) See also Rowe, S., & Duke, G. (2020). Buen Suceso: A New Multicomponent Valdivia Site in Santa Elena, Ecuador. *Latin American Antiquity*, 31(3), 639-645. doi:10.1017/laq.2020.43

<sup>16</sup> <https://ifrglobal.org/program/ecuador-zuleta/> (Accessed 5/26/2024).

<sup>17</sup> <https://ifrglobal.org/program/ecuador-zuleta/> (Accessed 5/26/2024).

<sup>18</sup> <https://www.archaeological.org/fieldwork/manteno-structures-in-agua-blanca-ecuador/> (Accessed 5/26/2024)

<sup>19</sup> <https://denison.edu/events/event/152556> (Accessed 5/26/2024).

<sup>20</sup> <https://www.yachaytech.edu.ec/en/noticia/embassy-preserve-cultural-heritage/> (Accessed 5/26/2024)



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