



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 the Hashemite Kingdom of Jordan to extend the memorandum of Understanding (MOU) concerning import restrictions on certain archaeological materials, which includes objects in stone, ceramic, metal, bone, ivory, shell and other organic materials, glass, faience and semi-precious stone, painting, plaster, textiles, basketry, rope, wood, and leather, ranging in date from about 1.5 million B.C. to A.D. 1750.

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.

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The cultural landscapes of Jordan have a deeply rooted and well-documented history of settlement attested by a remarkably well-preserved assemblage of objects, sites, and monuments, a testimony to the significant history of the region. Its archaeological and historical sites convey the story of a unique cultural past reflecting early global connections between West Asia and the Mediterranean world. Jordan has some of the earliest evidence for a number of “firsts”. Evidence from the Natufian site of Shubayqa 1 suggests the earliest (14,400 years ago) bead making in the region¹. Sites of the Neolithic (Ain Ghazal) and Chalcolithic (Tuleilat Ghassul) periods present some of the most compelling visual representations, artifacts, and structures related to ancient rituals, researched by international teams of scientists². Early fortified cities (Bâb adh-Dhrâ), evidence of copper mining (Wadi Faynan), and a number of sites and cities referred to in the Biblical texts are components of the Jordanian archaeological record that engages world communities and archaeological enthusiasts. As a part of the “Holy Land”, Jordan has long been an area of interest for archaeological investigation. With a robust classical history (Hellenistic, Nabatean, and Roman) Jordan boasts world renown iconic sites of Petra and Jerash. Yet the archaeological significance of Jordan stretches on into the Early Islamic, Crusader, and Ottoman periods with its

¹ See <https://www.pnas.org/content/115/31/7925> (Accessed 5/24/2024)

² See Gary Rollefson, Katharina Schmidt and Robert Schick, “One Hundred Years of Archaeological Research in Jordan” *Jordan Journal For History and Archaeology* 16 (2022) 255-304 <https://doi.org/10.54134/jjha.v16i3.662>



numerous important sites displaying evidence for occupation in those periods. Jordanian archaeological heritage is of crucial significance to both researchers and communities at large. Most recently, Jordan has ranked in the top ten countries globally in terms of international tourism growth, according to the United Nations World Tourism Organisation (UNWTO)³. As many engaged archaeologists who work in Jordan testify, the people of Jordan are also proud stewards of their cultural heritage⁴. Both the communities and the government in Jordan are committed to preserving and engaging with heritage. Established in 1989, Petra National Trust, for example, is a non-governmental and non-profit organization dedicated to promoting best practices in the preservation of cultural and natural heritage⁵. Petra National Trust “plays a significant role in international advocacy for cultural heritage.”⁶ However, while extremely important and often unparalleled, the archaeological heritage of Jordan remains under constant threat of the looting of archaeological sites and thefts from museum storerooms due to pressure and demand from global markets for the sale of heritage on the antiquities market.

The only criterion for determining whether an agreement should be extended is that the four statutory criteria that justified the original memorandum of understanding imposing import restrictions on certain classes of looted cultural property still pertain. We, therefore, restrict our comments to the archaeology and the preservation of cultural heritage in Jordan within these four statutory determinations and further focus our comments on the first, second, and fourth determinations.

2

The first determination requires that the cultural patrimony of the requesting State be in jeopardy from the pillage of archaeological materials. Looting of antiquities in Jordan remains prevalent despite the genuine efforts of the Government of Jordan’s Department of Antiquities, the non-governmental organizations and the local communities to safeguard archaeological sites, museums, and artifacts. Professor Morag Kersel (DePaul University) and her colleagues’ fieldwork and scholarly publications over the last two decades involved archaeological ethnography of looting and the global antiquities market with a focus on Jordan, Israel, and Palestine, amply demonstrating the scale and organization of looting in Jordan, especially fueled by the global demand on artifacts from the “Holy Land.” For example, Morag Kersel and Meredith Chesson’s study of three extensive Early Bronze Age sites with cemeteries on the southeastern Dead Sea Plain in Jordan dating ca. 3600–2000 BCE, namely Bâb adh-Dhrâ’, Naqa/Safi, and Fifa, has convincingly shown that “these sites have suffered decades of plundering due to demand for grave goods sold in antiquities markets globally.”⁷ The exhibition titled *The Past Sold: Case Studies in the Movement of Archaeological Objects* held at the University of Chicago

³ “Jordan ranks 8th globally in int’l tourism receipts growth” (May 27, 2023) <https://jordantimes.com/news/local/jordan-ranks-8th-globally-intl-tourism-receipts-growth> (Accessed 5/25/2024)

⁴ See Professor Morag Kersel’s comments in the AIA webinar “Preserving the Archaeological Wonders of Ecuador, Jordan, and Ukraine” (May 17, 2024) <https://www.youtube.com/watch?v=W70GK64IDb4> (Accessed 5/25/2024)

⁵ See <https://petranationaltrust.org/> (Accessed 5/25/2024)

⁶ <https://petranationaltrust.org/about#about> (Accessed 5/25/2024)

⁷ Morag M. Kersel and Meredith S. Chesson, “Looting Matters: Early Bronze Age Cemeteries of Jordan’s Southeast Dead Sea Plain in the Past and Present.” In *The Oxford Handbook of the Archaeology of Death and Burial*, edited by Liv Nilsson Stutz and Sarah Tarlow, Oxford University Press, 2013: 677- 694. A lot of this research on looting in Jordan along with other Middle Eastern countries has been documented within the Follow the Pots project. See <https://followthepotsproject.org/> (Accessed 5/25/2024) Also, Yazan Safwan Tell, “Looting of antiquities in Jordan: A General Overview” (January 2021) https://www.researchgate.net/publication/348755731_Looting_of_antiquities_in_Jordan_A_General_Overview (Accessed 5/25/2024)



(3 April- 12 May, 2017) and curated by Morag Kersel and Fiona Rose-Greenland, presented "contrasting modes of artifact movement: the legal, state-sponsored sale of Early Bronze Age antiquities from Bâb adh Dhrâ', Jordan, during the late 1970s, and the illegal looting of archaeological sites in Jordan, Iraq, and Syria that continues to this day."⁸ The identification of the site with a biblical place (Sodom) made the site especially vulnerable to looting since the ceramic vessels from this particular site were/are "highly desired for purchase by pilgrims of the Holy Land."⁹ Since Jordan is considered one of the core territories of the 'Holy Land' all archaeological sites and artifacts from its heritage landscapes are vulnerable to such demand and the resulting looting operations on the ground. In a project using Google Earth to identify site looting in Jordan, Neil Brodie and Dan Contreras surveyed 23 looted sites with a total looted area is 515351 m² (51.5 ha, or 0.5 km²).¹⁰ At the site of Safi, they documented a massive scale of looting (20 ha). They indicate that "the majority (95%) of looted sites identified date to the Early Bronze Age or Roman/Nabatean periods, with sites from the Early Bronze Age accounting for 68% of the total looted area."¹¹

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 six inscribed UNESCO World Heritage sites in Jordan. These impressive sites and landscapes include the famous Nabatean capital city of Petra with its spectacular geology and carved and built architecture (inscribed 1985)¹²; Wadi Rum, a remarkable geological and archaeological landscape situated in southern Jordan, near the border with Saudi Arabia covering a 74,000-hectare property (inscribed in 2011 as a mixed natural and cultural site)¹³; the Umayyad desert castle Quseir Amra with extraordinary wall paintings (inscribed 1985)¹⁴ and the Roman military settlement of Um er-Rasas (Kastrom Mefa'a) (inscribed 2004)¹⁵. Jordan also has 16 other heritage sites on the UNESCO tentative list. Jordan is a Party to several key international legal agreements pertaining to the protection of cultural property, including the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, the Hague Convention 1957 First Protocol (Ratified 1 October 1957) as well as the 1999 Second Protocol

⁸ "The Past Sold: Case Studies in the Movement of Archaeological Objects" <https://neubauercollegium.uchicago.edu/exhibitions/the-past-sold-case-studies-in-the-movement-of-archaeological-objects> (Accessed 5/25/2024).

⁹ M.M. Kersel and F. Greenland. 2017. Objects on the Move. The Good, The Bad and The Ugly. The Oriental Institute News & Notes 233 (Spring): 10-13. <https://isac.uchicago.edu/sites/oi.uchicago.edu/files/uploads/shared/docs/Publications/nn233.pdf>

¹⁰ D. Contreras and Neil Brodie, 'Quantifying destruction: An evaluation of the utility of publicly available satellite imagery for investigating looting of archaeological sites in Jordan', Journal of Field Archaeology 35 (2010) 101-114.

<https://traffickingculture.org/publications/contreras-d-and-brodie-n-2010-quantifying-destruction-an-evaluation-of-the-utility-of-publicly-available-satellite-imagery-for-investigating-looting-of-archaeological-sites-in-jordan/> (Accessed 5/25/2024)

¹¹ <https://traffickingculture.org/data/data-google-earth/google-earth-jordan/> (Accessed 5/25/2024)

¹² <https://whc.unesco.org/en/list/326> (Accessed 5/25/2024)

¹³ <https://whc.unesco.org/en/list/1377> (Accessed 5/25/2024)

¹⁴ <https://whc.unesco.org/en/list/327> (Accessed 5/25/2024)

¹⁵ <https://whc.unesco.org/en/list/1093> (Accessed 5/25/2024)



(Ratified 4 May 2009)¹⁶ and 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (Ratified 14 March 1974)¹⁷.

The Jordanian government has long been committed to the safeguarding and preservation of archaeological, architectural, ecological, and other forms of heritage. The Department of Antiquities of the Hashemite Kingdom of Jordan was established in East Jordan in 1923 as part of the Department of Antiquities of Palestine and serves as the primary government organization responsible for museums and archaeological heritage, issuing research (excavation and survey) permits, managing the country's museums, monuments, and archaeological sites, supporting scientific publications¹⁸, and running educational programs in the field of archeology¹⁹. The Jordanian government supports a number of excellent museums. A prominent example of this is the state-of-the-art Jordan Museum, located in the Ras al-Ein district of Amman and opened in 2014. It features a vast collection of archaeological artifacts, including the world-renowned collection of Dead Sea Scrolls and the Neolithic 'Ain Ghazal statues (dating to 7200 BCE). It is currently the largest museum in the country. The Ain Ghazal reed and lime-plaster statues, which are some of the oldest sculptures in the world, were excavated at a salvage project in 1983 and conserved at the Smithsonian Institution Museum Conservation Institute and the Royal Archaeological Institute in Great Britain²⁰. These sculptures are in global art history textbooks and have been exhibited worldwide, including at the British Museum, the Louvre, Louvre Abu Dhabi, and Arthur M. Sackler Gallery, Smithsonian Institution (28 July 1996 - 6 April 1997).

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 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. The Jordanian Department of Antiquities and its Department of Excavations and Archaeological Surveys facilitate foreign scientific research projects in the country. Each year several American excavation projects are granted permission to work by the Jordanian Department of Antiquities. Often, American investigators turn to the American Center of Research (ACOR), one of 25 American overseas research centers, to provide logistical assistance, mentoring and advice, a space to meet Jordanian colleagues, and library resources. The process by which permits are obtained is articulated clearly in the 2015 Department of Antiquities guidelines. The Excavation and Survey Department is well-equipped to assist. continuing participation of U.S. individuals representing various institutions on archaeological projects in Jordan from the Paleolithic through to the Ottoman periods. Among the notable projects are the excavations at the Great Temple in Petra undertaken by Martha Sharp Joukowsky, a former president of the AIA (1989-1993). In 2018, the Madaba Plains Project, including the three archaeological sites of Tell Hisban, Tell Jalul and Tell

¹⁶ <https://www.unesco.org/en/legal-affairs/convention-protection-cultural-property-event-armed-conflict-regulations-execution-convention#item-4> (Accessed 5/25/2024)

¹⁷ <https://www.unesco.org/en/legal-affairs/convention-means-prohibiting-and-preventing-illicit-import-export-and-transfer-ownership-cultural> (Accessed 5/25/2024).

¹⁸ <https://publication.doa.gov.jo/> (Accessed 5/25/2024)

¹⁹ <https://doa.gov.jo/contents/brief-historyar.aspx> (Accessed 5/24/2024).

²⁰ <https://mci.si.edu/ain-ghazal-statues> (Accessed 5/24/2024).



Umayri, marked its 50th anniversary, celebrating the longest ongoing archaeological project in Jordan. Galilee Prehistory Project, co-directed by Morag Kersel and Yorke Rowan and based at DePaul University and the University of Chicago, investigates dramatic changes in socio-economic organization during the fifth to fourth millennia BCE in the southern Levant²¹. Important in all of these archaeological projects is the collaboration with the Jordanian Department of Antiquities in promoting best practices in methods of scientific excavation, approaches to interpretation, and site conservation for future generations.

As discussed earlier, the Department of Antiquities has been instrumental and keenly interested in providing materials for loan to U.S. museums. In addition to the traveling exhibition of Ain Ghazal sculptures discussed above, the landmark exhibit, *The World between Empires: Art and Identity in the Ancient Middle East* at the Metropolitan Museum in New York (March-June 2019), included an assemblage of items on loan from the Jordanian Department of Antiquities²². The J. Paul Getty Museum announced in April 2021 its signing of bilateral agreements for cultural collaboration with the Jordanian Ministry of Tourism and Antiquities. This new cultural agreement established “a general framework for cooperation on conservation projects, exhibitions, long-term loans, conferences, publications and other kinds of exchanges.”²³

In consideration of the above, we respectfully ask that the Committee recommend support of the request by the Government of Jordan to renew the memorandum of understanding that protects its cultural patrimony from pillage. We are grateful for the opportunity to comment.

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Sincerely,

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

Brian I. Daniels, Ph.D., RPA, First Vice President, Archaeological Institute of America

Ömür Harmanşah, Ph.D., Vice President for Cultural Heritage, Archaeological Institute of America

²¹ <https://isac.uchicago.edu/research/projects/galilee-prehistory-project> (Accessed 5/25/2024)

²² <https://www.metmuseum.org/exhibitions/listings/2019/world-between-empires-art-and-identity-ancient-middle-east> (Accessed 5/25/2024).

²³ <https://beverlypress.com/2021/04/getty-museum-signs-cultural-pacts-with-bulgaria-jordan/> (Accessed 5/25/2024)