

ANCIENT COIN
COLLECTORS GUILD, et al.,

v.

UNITED STATES
DEPARTMENT OF STATE

Civil No. 07-2074 (RJL)

Exhibit B

November 17, 2007

Coin Collectors Sue State Department Over Import Rules

By JEREMY KAHN

Three organizations representing coin collectors and dealers have filed a lawsuit against the State Department demanding greater disclosure of how the government makes decisions on the import of ancient artifacts from abroad.

The suit, filed jointly on Thursday by the three groups in Federal District Court in Washington, asserts that the State Department violated the Freedom of Information Act when it failed to release documents that the coin collectors had sought concerning recent decisions in which the State Department either considered or imposed import restrictions on ancient coins. The documents involve trade between the United States and Italy, China and the Republic of Cyprus.

If the coin collectors were to prevail, the State Department might be compelled to shed more light on the way it makes decisions on protecting the cultural property of other nations, a process that many art dealers, museum directors and collectors argue has been unnecessarily shrouded in secrecy. Among the information sought from the State Department are documents related to a May 2004 request from China that the United States restrict the import of a vast array of art and artifacts, including coins, dating from Chinese prehistory through the early 20th century. The State Department has repeatedly delayed action on the Chinese petition in the face of strong opposition from museum curators, art dealers, auction houses and collectors.

The Chinese request is supported by archaeologists, however, who believe that the antiquities market and trade in ancient coins encourages the pillage of important ancient sites.

The lawsuit also follows a controversial decision by the State Department in July to ban imports of ancient coins from the island of Cyprus. It was the first time the government had barred trade in a broad category of ancient coins, and collectors and dealers were startled. Archaeologists, who often use coins to help them date finds, supported that ban on the grounds that treasure hunters using metal detectors to search for coins frequently damage significant sites.

The coin collectors described their lawsuit as a last resort, taken only after the State Department ignored multiple Freedom of Information Act requests made over the last three years as well as unsuccessful efforts by two Republican legislators, Representative John Culberson of Texas and Senator Christopher S. Bond of Missouri, to persuade the State Department to divulge more about its decision-making.

"We have tried every other step," said Wayne G. Sayles, executive director of the Ancient Coin Collectors Guild, one of the groups bringing the suit. "We are not getting any transparency in the process, and we need that transparency to make sure our position is considered and that our rights are maintained." The other two plaintiffs are the International Association of Professional Numismatists and the Professional Numismatists

Guild.

Darlene Kirk, a spokeswoman for the State Department's Bureau of Educational and Cultural Affairs, said the department would not comment on a pending lawsuit as a matter of policy.

Peter K. Tompa, an attorney who serves as president of the Ancient Coin Collectors Guild and has represented collectors before a committee that advises the State Department on the antiquities trade, suggested that if the lawsuit succeeds, it might yield evidence that would allow the coin collectors to challenge the legal basis for the ban on Cypriot coin imports.

Mr. Tompa said that the coin collectors suspect that the State Department imposed the restriction on coins against the advice of its own Cultural Property Advisory Committee and perhaps in violation of the procedures established by a 1983 law governing cultural property protection. They want the State Department to release documents that could prove or disprove this suspicion.

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Posted on Friday, November 20, 2007

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Missouri man battles Washington over 2,000-year-old coins

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By Ross Hottelainen | McClatchy Newspapers

WASHINGTON — Wayne Sayles, a conservative Republican from Missouri who twice voted for President Bush, is none too pleased with the Bush administration these days. In fact, he says it's trying to put him out of business.

Sayles has been collecting and selling ancient coins since 1967, and on Nov. 15, a group he heads sued the State Department, charging that its decision to restrict imports of ancient coins from the Mediterranean island of Cyprus is "a major offensive" against coin collectors that threatens his hobby.

"In a world where globalism is not just a trend but an irreversible fact of life, how can anyone justify turning America into an island of prohibition for something as innocuous as a common coin?" Sayles, the executive director of the Ancient Coin Collectors Guild in Gainesville, Mo., asked on his blog.

As Washington fights go, this one's a blip on the screen. But for the 64-year-old Sayles, it's a David vs Goliath battle, "the Pearl Harbor of the Cultural Property War," as he calls it.

Coin collectors have been livid since July, when the State Department announced that it was imposing import restrictions on Cypriot coins that date from the end of the sixth century B.C. to 235. At a ceremony in Washington, Undersecretary of State Nicholas Burns said that the move "will help Cyprus to battle those who would plunder its heritage and seek to sell that heritage illegally."

Andreas Kakourns, the ambassador of the Republic of Cyprus to the U.S., said that the island's cultural heritage is one of the oldest and richest in the world, dating back 10,000 years. He had a message for coin collectors: "It may be your hobby, but it's our heritage."

Sayles is also running into opposition from the Archaeological Institute of America, the oldest and largest archaeological group in the nation, with more than 8,500 members.

"The looting of coins from archaeological sites is a significant problem throughout the world, and especially on the island of Cyprus," C. Brian Rose, the group's president, wrote in a letter to the State Department. He said that coins from the island provide historical information not available from any other sources, noting that Cypriot coins continued to be minted even after Cyprus was incorporated into the Roman Empire.

The coin collectors' lawsuit, filed in U.S. District Court in Washington, has three plaintiffs: The Ancient Coin Collectors Guild; the International Association of Professional Numismatists of Brussels, Belgium; and the Professional Numismatists Guild of Fallbrook, Calif. Citing the federal Freedom of Information Act, it urges the court to force the government to provide "meaningful information to the public about the unprecedented imposition of import restrictions on ancient coins of Cypriot types."

The suit accuses the government of operating with "a veil of secrecy over basic information." Among other things, the plaintiffs want the government to release all records related to the decision and to award the plaintiffs "reasonable attorney fees and litigation costs."

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Wayne Sayles, whose personal collecting interest is in the Roman Provincial coins of the city of Anazarbus in Cilicia, and his wife Doris, who likes to collect coins from the Phoenician city of Dora. [View larger image](#)

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The State Department had no comment. "We generally don't talk about open litigation," said spokesman Rob McInturff.

To press his case, Sayles has lined up backing from Republican Sen. Kit Bond of Missouri, a longtime ally of the nation's coin collectors. (In an interview, Sayles said that Bond is one Republican whom he'd vote for again.)

Bond's spokeswoman, Shana Marchlo, said that Missouri "is home to both sides of the coin in this dispute: museums and collectors." But she said Bond believes that "transparency and fairness in the process can only benefit everyone involved."

In a statement, Bond said that he's had "long-standing concerns over the lack of transparency and openness" in the State Department's cultural property decision-making process. "Federal agencies and advisory committees need to follow federal sunshine laws, and it would be disappointing if a lawsuit is required to make them do so," he said.

Sayles, who earned a master's degree with a specialization in ancient coins as works of art from at the University of Wisconsin-Madison, has a long interest in ancient coins, as does his wife, Doris. He said that his personal interest is in Roman provincial coins of the city of Anazarbus in Cilicia, part of what's now southern Turkey, while his wife likes to collect coins from the Phoenician city of Dora.

He's launched The Celator, a monthly periodical for coin collectors, written a series of books and more than 200 articles on ancient coinage, and sold coins to customers in more than 40 countries. In 2004, he founded the Ancient Coin Collectors Guild, an advocacy group representing private collectors and independent scholars.

Coin collector Sayles said he wishes that the Republican Party he's backed for so long would respect his rights. Personal property rights, he argues, "are a mainstay of the American experience."

"It is a constant source of frustration to many conservatives that the Republican administration has failed to protect the conservative point of view," Sayles said.

Wayne Sayles' blog: www.ancientcoincollecting.blogspot.com

McClatchy Newspapers 2007

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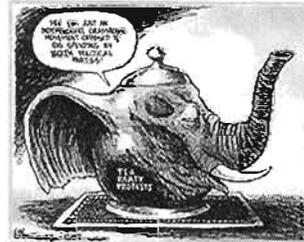
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The New York Times

July 18, 2007

U.S. Imposes Restrictions On Importing Cypriot Coins

By JEREMY KAHN

In a move that some coin collectors fear could eventually make it difficult to pursue their passion, the United States government has imposed import restrictions on ancient coins from Cyprus. It is the first time the United States has limited trade in a broad category of coins as part of an effort to guard the cultural heritage of another country.

The new rules, which were adopted last week and went into effect on Monday, would essentially bar the importation of any ancient coin from Cyprus unless authorized by the Cypriot government. The limits are part of a broader agreement between the United States and the Republic of Cyprus to extend for five years existing restrictions on the import of pre-classical, classical and Byzantine art and artifacts from the island.

The new rule is only the latest development in a debate involving archaeologists, collectors and art dealers over how best to preserve antiquities and encourage appreciation of the past.

Cyprus has said the restrictions are necessary to combat the looting of cultural and archaeological sites, particularly in the northern part of the island, which has been divided from the south since Turkey invaded in 1974.

Archaeologists frequently use coins to help them date ancient sites; they say that treasure hunters using metal detectors to look for coins often wreck potentially important archaeological discoveries.

"We are very pleased coins have been added to this," said Cyprus's ambassador to Washington, Andreas Kakouris. "Coins constitute an inseparable part of our own cultural heritage, and the pillage they are subjected to is the same as other archaeological material."

Numismatic associations had argued before a State Department advisory committee that import restrictions on ancient coins could not fairly be enforced. Coins minted in Cyprus were found throughout the ancient world, the collectors asserted. They said it would be impossible for customs officials to determine whether a coin came from Cyprus or elsewhere and whether it had been legitimately excavated.

Coins do not customarily carry the kinds of provenance documents that accompany other art and antiquities.

The collectors also expressed concern that the agreement would encourage other countries, including Italy, home to troves of Roman-era coins, to ask for similar restrictions. If such limits "were applied to Italy, for example, that could be quite devastating to numismatists, particularly ancient-coin collectors," said Jay Beeton, a spokesman for the American Numismatic Association.

The Archaeological Institute of America, which wrote to the State Department in support of Cyprus's request for new import restrictions, disputes that there was widespread dissemination in centuries past of Cypriot currency.

"Coins minted on Cyprus were very rarely taken from the island in antiquity," the association's president, C. Brian Rose, wrote in a February letter to the State Department's Cultural Property Advisory Committee. "If one examines the discoveries at officially sanctioned excavations in the countries that surround Cyprus, such as Turkey, Syria, Lebanon and even Israel, one can see how infrequently Cypriot coins figure among the finds."

But the coin collectors said they saw little reason for the State Department, which had exempted coins from previous import bans on antiquities, to suddenly reverse course.

"This decision shows that the Department of State is putting the narrow interests of the cultural bureaucracies of foreign states and the archaeological community over those of ordinary Americans who believe that collecting increases appreciation of the past and helps preserve artifacts," said Peter K. Tompa, a lawyer who has represented numismatic groups before the Cultural

Property Advisory Committee.

A State Department spokeswoman, who under the department's rules could not be identified by name, defended the government's decision to include coins, saying they were a key component of the "pre-classical and classical archaeological heritage of Cyprus that is subject to pillage from context and to illicit trafficking."

Photo: A Cypriot coin like this one, from A.D. 198-217, cannot be imported. (Photograph by Classical Numismatic Group)

The New York Times



April 8, 2007

Is the U.S. Protecting Foreign Artifacts? Don't Ask

By JEREMY KAHN

WASHINGTON

THE rumor swept through the aisles of the Seventh Regiment Armory in New York as art dealers traded gossip with collectors: Dina Powell was going to China.

Normally a routine overseas trip by a government figure — Ms. Powell is an assistant secretary of state — would hardly warrant attention from experts on Song dynasty ceramics or Buddhist statuary. But in their minds, this time their very livelihoods were at stake. The fear was that Ms. Powell, who heads the State Department's bureau of educational and cultural affairs, was going to Beijing to announce a sweeping ban on the import of Chinese art and artifacts predating 1911. The Chinese requested the ban in 2004, arguing that an insatiable American demand for such objects was spurring the looting of valuable archaeological sites in China.

As it turned out, the rumor was false: The State Department says that Ms. Powell is not planning a June visit, although it refuses to say when or how the United States will rule on the Chinese request. But the panic sowed by the gossip, in the midst of New York's annual Asia Week sales last month, suggests the high stakes riding on the American decision.

At the center of the controversy is not a ranking official but an obscure State Department advisory panel that has become the bête noire of collectors of everything from Roman vases to African statuary. The panel, the Cultural Property Advisory Committee, has been the focus of fierce battles between archaeologists, who say the art market fosters the looting of historic sites, and dealers, who say that broad import restrictions threaten collecting by private individuals and museums in the United States.

Congress established the committee in 1983 to balance the interests of these adversaries, deterring pillage abroad while also protecting the legal antiquities trade. But critics claim that it now tilts heavily in favor of the archaeological lobby, even in cases when the foreign countries seeking import restrictions have not met the criteria set down by the law.

"I don't think the committee has been fulfilling the intent of the original legislation," said Meredith Palmer, a Manhattan dealer in 20th-century art who worked on cultural patrimony issues at the State Department in the 1970s and helped establish the Cultural Property Advisory Committee, known as C.P.A.C.

Kate Fitz Gibbon, a dealer of Asian art in Santa Fe, N.M., and a former member of the committee, said some members of it now seem to have a full-blown "prejudice against collecting": so much so, she argued in an e-mail message, that they seek to bend the law to "meet a perceived need to end the trade."

Just how did an entity intended as a grand compromise and welcomed by archaeologists and dealers more than 20 years ago come to be seen as the enemy of the commercial art market?

Dealers and collectors argue that the State Department's professional staff has manipulated the nominations process in recent years so that a majority of committee members at any given time lean toward broad import restrictions. Archaeologists counter that unscrupulous dealers are still only too happy to profit from looting by selling items of ambiguous origins, and that import restrictions are an important tool for reining them in.

At the same time it is clear that recent restitution battles by countries like Italy and Egypt have sensitized American officials and the public to the principle of cultural patrimony, the idea that each nation has a right to possess and protect its historical treasures.

The United States government currently has agreements with 11 nations to restrict the import of culturally significant artifacts. To this day it has never failed to grant an initial request for import controls.

But current requests have collectors and dealers up in arms. They argue that China's petition is so broad that it would include 19th-century ceramics that were mass-produced for export. And Cyprus is asking that an existing ban on imports of Classical and Byzantine material be expanded to include ancient coins, a category of artifacts that has not been included in other import restrictions.

Ms. Palmer argues that Congress intended the committee to protect only the most significant artifacts from pillage, not grant broad restrictions on the import of entire categories of objects. James Fitzpatrick, a lawyer who has represented dealers and collectors before the committee, agrees. "There is no attempt by C.P.A.C. today to differentiate between items of great significance and those that are produced in the hundreds or multiple hundreds of items," he said.

But archaeologists say that the import restrictions have been critical in highlighting the problem posed by looting. "It has proven to be a fairly effective tool for raising awareness of looting because the U.S. is such a large art market," said Ricardo Elia, an archaeologist at [Boston University](#).

Renata Holod, a curator at the [University of Pennsylvania Museum of Archaeology and Anthropology](#), said many ancient sites in Iraq and elsewhere now look like "a moonscape" because of all the illicit digging. "That is a feature of the existence of a market in antiquities," she said drily. While the American restrictions do not stop pillaging completely, she added, they do send a message to the rest of the world that the United States opposes the destruction of other countries' cultural property.

In many cases, archaeologists say, Western museums have been willing to turn a blind eye to murky provenances if they could get their hands on uniquely beautiful or rare artifacts. In recent years institutions like the [J. Paul Getty Museum](#) and the [Metropolitan Museum of Art](#) have agreed to return objects to their countries of origin after being confronted with evidence that the artifacts had been exported illegally.

But dealers and museum curators reply that they oppose looting too, and that archaeologists fail to see that an object's aesthetic value and its safekeeping are at least as important as its cultural or historical significance.

Some dealers say that archaeologists harbor class resentments of monied collectors and are uncomfortable

with the idea that history can have a price.

"In a lot of anti-collecting bashing or museum bashing that goes on there is always a background of quasi-socialist sentiment," said William Pearlstein, a lawyer at Golenbock Eisenman Assor Bell & Peskoe in New York who has represented art dealers. "You always hear archaeologists hissing about money."

That collision of worldviews was on vivid display on March 15 in a conference room in Washington where the committee held a public hearing. The issue was an extension of import restrictions on objects from Guatemala and Mali. Speaking in favor was David Friedel, an archaeologist at Southern Methodist University who has carried out excavations of Maya ruins there.

With barely restrained disgust he told the panel that a single Olmec serpentine figure might bring \$70,000 at Christie's auction house. Ripped from its context in a Maya tomb, however, its testimony to how the Maya venerated the earlier Olmec civilization would be lost, he said.

Later in the hearing Claire Hilmer, representing the nonprofit group Saving Antiquities for Everyone, expressed dismay at the high prices ancient statuary from Mali brought at auction. That prompted pointed questioning from James Willis, a dealer in African art who is one of the sales experts on the committee.

"Do you think it is a good or a bad thing that these things are worth the millions that you say they are?" he asked. "If there were no international market and these wealthy people willing to spend this money on these figurines, what would happen to them? If those objects had little to no value, do you think they would survive?"

Under the current law a foreign nation must meet certain criteria to obtain restrictions. It must document the extent to which pillaging jeopardizes important cultural sites and objects. It must provide evidence that it is combating looting inside its borders. It must establish that the American market in these objects is large enough to warrant more control and that other methods to address looting are not available. And the law says that in most cases import limits should be created only if other nations are imposing similar restrictions, so that American dealers and collectors are not unfairly disadvantaged. The committee investigates whether these criteria have been met and issues a recommendation to the State Department, which makes the final decision. The department almost never fails to follow the recommendation.

By law the committee consists of 11 unpaid members appointed by the president: three each from the art trade and archaeologists, three who represent the wider public and two who represent the interests of museums.

But this system has gone awry, according to dealers, collectors, former committee members and others familiar with the committee's workings. While nominally balanced, they say, in practice a number of the museum and public representatives on the panel have been drawn from the archaeological camp.

For instance, the most recent museum representatives on the panel both came from the Field Museum in Chicago. Unlike many other top museums in the United States, the Field sponsors archaeological digs and no longer purchases items on the art market. Asked about the balance on the committee, the State Department referred that question to the White House. Citing a policy of not commenting on personnel matters, a White House spokeswoman, Emily Lawrimore, declined to explain how the president chooses nominees.

The committee's critics also say State Department lawyers have used conflict-of-interest rules to nudge the committee toward import restrictions. James Lally, the noted New York dealer in Asian art, declined a seat on the panel in 2000 after State Department lawyers told him he would not be able to discuss or vote on any petition from a country in whose art he traded. "I was approved after a long process of investigation," he said, "and then they said, 'Oh well, you cannot speak about any Asian art.' This made less than no sense. This is a perversion of the intent of the law."

Archaeologists, on the other hand, have not been asked to recuse themselves from deliberations or votes involving countries where they have taken part in excavations. Yet dealers protest that these are also conflicts of interest, since archaeologists must rely on the good favor of these foreign governments to receive continued permission to dig.

The committee has also been faulted for its secrecy. The State Department classifies almost all material presented to the group to aid its deliberations, including press clippings and information available on the Internet. It also withholds the original petitions for import restrictions that foreign countries submit as well as the recommendations that the committee makes to the department.

Committee members are also told they cannot independently investigate the facts related to a country's petition or discuss the matter with outside experts apart from those who appear at the committee's infrequent hearings.

Patty Gerstenblith, who is chairman of the Archaeological Institute of America's cultural property legislation committee and served as a public representative on the committee from 2000 to 2003, said she saw good reason for the secrecy. She said that as a committee member, she might have felt inhibited from speaking candidly in deliberations if she thought her comments might later become public.

She also said information presented to the committee might, if released, "become a road map for looters" interested in pillaging sites.

But the committee's current chairman, Jay Kislak, a real estate magnate and collector of pre-Colombian artifacts, bristles at the secrecy under which the State Department has the panel work.

"In my opinion the restrictions, regulations and lack of transparency under which we are asked to operate in pursuing our duties at C.P.A.C. are to say the least unusual, and in many cases they are unbearable, immoral and maybe either extra-legal or in contradiction" of the law, he said.

C. Miller Crouch, deputy assistant secretary of state for educational and cultural affairs, said that the law that created the committee explicitly exempted it from public disclosure requirements that apply to similar federal advisory committees.

Given the secrecy surrounding the panel's deliberations, it is difficult to predict how the State Department will rule on China's request. What is certain is that the controversy over the committee is not going away. With looting on the rise worldwide, according to Interpol, the number of countries requesting import restrictions is only likely to grow, and the clash between archaeologists and collectors will continue.

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The New York Times

JULY

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October 18, 2006

U.S. Delays Rule on Limits to Chinese Art Imports

By JEREMY KAHN

Correction Appended

In a move that has cheered museum directors and art dealers and dismayed archaeologists, the State Department has agreed to delay a decision on a controversial request from China that the United States strictly limit imports of Chinese art and antiquities.

In May 2004 China asked the United States to impose import restrictions on a wide range of art and decorative objects from the prehistoric period to the early 20th century, arguing that the American market for antiquities was spurring the looting of important sites in China.

Shawna Stribling, a spokeswoman for Senator Christopher S. Bond, Republican of Missouri, who had questioned the scope of the Chinese request, said this week that the State Department recently informed the senator's office that it would delay making a decision until at least early next year.

The State Department had been expected to issue a decision on the Chinese request this fall. Over the spring and summer, Senator Bond, along with Senators [Charles E. Schumer](#), Democrat of New York, and [Arlen Specter](#), Republican of Pennsylvania, relayed concerns to the State Department about the transparency of its decision-making process and challenged the legal underpinnings of China's request. Members of the senators' staffs and art market representatives also voiced those concerns in a meeting in mid-September with C. Miller Crouch, principal deputy assistant secretary in the State Department's bureau of educational and cultural affairs.

Senator Schumer said, "We are not out of the woods yet, but news of a delay means they are listening and understand our concerns."

Archaeologists and other advocates for the protection of cultural artifacts accuse the State Department of yielding to political pressure.

"The fact that one small constituency has been able, because of disproportionate financial resources, to pressure the State Department to delay it is an insult to China," said [Patty Gerstenblith](#), a law professor at [DePaul University](#) and president of the Lawyers' Committee for Cultural Heritage Preservation.

Nicole Deaner, a spokeswoman for the State Department's Bureau of Educational and Cultural Affairs, refused to comment on the status of China's request other than to say that no decision had been made. The Chinese Embassy in Washington did not respond to repeated requests for comment on the postponement.

Currently, any object suspected of being stolen or looted can be seized by United States Customs officials, but

in practice few artifacts are stopped at the border. The restrictions sought by China, which would have to be negotiated in a bilateral treaty, would probably prevent any artifact from entering the United States unless it was specifically approved for export by the Chinese government.

China's request has pitted American archaeologists, who generally support the restrictions, against auction houses, dealers in Asian art and curators at many of the nation's top museums, including the Metropolitan Museum of Art in New York and the Art Institute of Chicago. They worry that the limits would devastate the Chinese art market in the United States and make it hard for museums to make new acquisitions.

For them the delay is at least a temporary victory: they had feared the State Department was leaning toward granting the Chinese request. "The museum regards it as a healthy development that the whole issue is being re-examined," said Harold Holzer, spokesman for the Metropolitan Museum.

Wayne Sayles, executive director of the Ancient Coin Collectors Guild, a Missouri-based organization that opposed the import restrictions, agreed. "Since we anticipated bad news, a delay is a good thing," he said.

The State Department has never refused outright any request like China's, which was submitted under a 1983 law that was drafted to bring the United States into line with a 1970 United Nations convention on cultural property and to help countries struggling to control looting of their culturally important sites. In recent years the State Department has negotiated treaties with 11 nations to restrict imports of some artifacts, including Italy, Mali, Cambodia, Cyprus and seven countries in Central and South America. Aside from the Chinese request, the State Department has never taken longer than two years to reach a decision.

Robert E. Murowchick, a specialist in East Asian archaeology at Boston University, said the State Department's delay was troubling, given the urgent need to combat the looting of ancient burial sites in China. "The time factor is critical because every month or year that goes by with looting getting worse, the more sites are being destroyed," he said.

But art dealers and museum directors counter that China has not met the standards required by United States law for such import restrictions. That would include proving that it has taken significant steps to police the market for antiquities within its own borders, showing that other nations are also making efforts to limit the Chinese art trade, and offering evidence that restrictions on the American market would have a significant impact on rescuing antiquities from pillage.

They also contend that China's request is overly broad, covering art and coins that are not archaeologically significant and including objects less than 250 years old, which are not covered by the 1983 law on cultural property.

According to some estimates, as many as 400,000 tombs in China have been looted in the last 25 years, although it is unclear how many artifacts have been stolen, and experts disagree on whether the pillaging has accelerated. In one particularly high-profile case in 2000, customs agents seized a 10th-century marble relief panel that had been chiseled out of a tomb in northeast China and was headed for sale at Christie's in New York.

Anne Underhill and Deborah Bekken, both archaeologists with the Field Museum in Chicago who have participated in excavations in China, said they planned to mount their own lobbying effort to persuade the

State Department to honor the Chinese request in a timely manner.

"I'm not sure why we can't respect the right of the Chinese government to respect their cultural property," Ms. Underhill said. She added that "it would set a good example for other countries" if the United States honored China's request.

The debate between archaeologists and museums over the best way to preserve and study ancient artifacts has grown more and more contentious in recent years. Museum directors have accused the archaeologists of dogmatically opposing private ownership of art and insisting that only they are equipped to study ancient cultures and antiquities properly. The archaeologists, for their part, have accused the museums of being driven solely by the desire for acquisitions and for implicitly subsidizing the trade in looted objects.

"I think the museums press a little too hard their claims to be educational institutions," said Robert W. Bagley, a professor of art and archaeology at [Princeton University](#). He argued that museums could organize exhibitions with objects on loan for a fraction of what they often spend to purchase a single piece.

Archaeologists also say that in previous cases, when a country has made a request for a broad import ban, the State Department has simply approved narrower categories of objects. They also contend that China has recently taken steps to police its own internal market in ancient artifacts, creating a new task force of special agents to hunt for looted antiquities and sending archaeologists to do "rescue digs" at sites that are in danger of being destroyed through development or looting.

For their part, the curators, auction houses and dealers have raised concerns about the openness of the State Department's deliberations. They note that only one public hearing, in February 2005, was held on the Chinese request and that participants were limited to five minutes each for remarks.

Since then, they complain, the State Department has released no information as to how it may decide.

Correction: Oct. 20, 2006

An article in The Arts on Wednesday about a delay by the State Department on a request from China for strict limits on imports of Chinese art and antiquities into the United States misspelled the surname of the executive director of the Ancient Coin Collectors Guild, which opposes the restrictions. He is Wayne Sayles, not Sales.

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