

**Testimony of Dr. Fabio Esteban Amador, On Behalf of the Society for American
Archaeology
Before the Cultural Property Advisory Committee
On the Renewal of the Memorandum of Understanding
Between the United States and El Salvador
November 12, 2009**

On behalf of the Society for American Archaeology (SAA), I would like to thank the Committee and the State Department for holding this important meeting, and for the opportunity to present our views on this important issue. The SAA strongly supports the proposal by the government of the Republic of El Salvador to renew its Memorandum of Understanding (MOU) with United States. This agreement has increased protections for Salvadoran archaeological and ethnographic materials, and fostered greater scientific research and exchange between researchers in El Salvador and other nations.

My name is Dr. Fabio Esteban Amador. I have a B.A. in Archaeology from Rutgers University, and a Masters and Ph.D. from the State University of New York at Buffalo (SUNY-Buffalo). I served as Director of the archaeology department for the ministry of culture (CONCULTURA) in El Salvador (1995-1997), and on various field projects in El Salvador, and other Central American nations. I have worked as a professor of archaeology and anthropology at several universities, and am currently the program officer for the National Geographic Society / Waite grant program. I have published various monographs in El Salvador, collaborated on two edited volumes, written over 30 field reports, presented professional papers at more than 20 national and international conferences and am presently working on two books to be published in 2010. I serve as a member of the Committee for the Americas for the Society for American Archaeology.

The Committee is well aware of the effect that looting of archaeological sites does to both the physical remnants of ancient cultures, and the scientific understanding of the past. Once such damage is done, it is irreparable, and much knowledge is lost forever. The photo below gives an idea of the kind of damage that looting can do to a site. The protection of cultural patrimony is a great challenge for any country. The unstable social and political conditions that prevailed in El Salvador until recent years make that challenge even steeper in that country. Funds, equipment, and staff are in short supply. Further, the U.S. remains a major market for illicit Salvadoran archaeological and ethnographic materials. Nevertheless, the people and government of El Salvador have made great strides in preserving their heritage, and the MOU with the United States is a cornerstone of these efforts.

On the domestic side, El Salvador's National Council for Culture and Art (CONCULTURA), in accordance with Article II of the MOU, has made its collections available for international scientific research and foreign exhibition. Teams of international archaeologists and anthropologists have conducted excavations and research projects. These researchers are also on the front line against looting. Salvadoran and

foreign archaeologists are often the first to witness destruction of cultural heritage, and their reports are continually provided to CON CULTURA, which follows up with field visits to document the damage. Many of these visits incorporate various experts, local government authorities and the police (INTERPOL). CON CULTURA and the government continue to broaden the general public's knowledge of, and appreciation for, the heritage of Salvador and why it should be protected. These efforts include the work of the National Museum of Anthropology, the site museums of San Andres, El Tazumal, and Joya de Ceren, and prosecutions of looters and antiquities traffickers under the 1993 Special Law.

Media attention to preservation activities, and to the damage that looting and trafficking does to the understanding of the past, also continues. Recently, citizens and local news papers, including internet based news reports (El Faro.com), have been instrumental in coordinating efforts in fighting against both people and institutions responsible for the degradation of cultural patrimony. In a particular case in 2007, when the land surrounding a well known site was being sold, El Faro exposed the history of illegal digging at the site, the people responsible, and the outcome. These reports have begun to involve the public in a debate that was previously hidden from the general populace. Now everyone can get involved in the protection of patrimony. This particular story can be read at: http://www.elfaro.net/secciones/Noticias/20080421/noticias2_20080421.asp

Private Salvadoran citizens, through the work of FUNDAR, a foundation that seeks to preserve the nation's archaeological heritage, also promote public knowledge of this issue by sponsoring excavations, surveys, and local education campaigns. According to their web site (http://www.fundar.org.sv/e_saqueo.html#posicion), FUNDAR members have presented over 30 reports to CON CULTURA authorities and have been called to give testimony on several legal cases. On occasion, FUNDAR and CON CULTURA preserve sites by working together to secure funds to purchase them.

In addition, the preservation community in El Salvador is working to find ways to improve upon protections for their cultural heritage. A group of Salvadoran archaeologists has published a proposal titled: *Elementos para una Política Nacional del Patrimonio Cultural: Una perspectiva desde la arqueología y la antropología*. This document is intended to bring about a change in future cultural policy, one that would give government institutions more authority over the protection of cultural property, provide a space for academic and professional conversation dealing with the future of archaeological research in El Salvador, and initiate a dialogue within the larger Salvadoran community regarding identity and the need to protect its heritage and cultural patrimony.

The document can be found in the following link:
http://www.elfaro.net/secciones/el_agora/20090323/p_patrimonio.pdf

Regarding law enforcement efforts to prevent looting, the Department of Archaeology, working alongside Interpol, has managed to stop several traffickers of antiquities that were detected by U.S. and Salvadoran authorities. Destruction of sites has not gone

undetected, thanks to new digital media, newspapers, and magazines that have been exposing individuals and companies that are adversely affecting the conservation and protection of the cultural patrimony of El Salvador. Although looting has not stopped in El Salvador, the import restrictions authorized by the MOU have had great success in decreasing the export of archaeological and historical artifacts out of that nation.

The threat to El Salvador's cultural heritage is still significant, however. I am afraid that pre-Columbian art and artifacts, especially those of the Mayan civilization, will always be popular in the illicit antiquities market. The United States remains one of the primary destinations for such materials. If the MOU is not renewed, I fear that the flow of antiquities out of El Salvador, and thus the rate of looting, will increase, and a great deal of progress will be lost.

One other aspect of this issue that the Committee should consider is the effect that non-renewal would have on other nations in Central America, some of which have their own MOUs with the United States. The looting of ancient art and artifacts is a problem for the entire region. El Salvador has worked with Honduras, Nicaragua, Guatemala, and other nations as part of its MOU. Non-renewal would undermine and diminish the efforts and progress that these nations have made, both as a group and individually.

I want to thank the Committee once again for its time and consideration of this important matter, and to respectfully request its approval of El Salvador's request for the renewal of the MOU.



Fabio Amador examines a hole made by looters in the top of the pyramid known as The Cleaver. In the background, a tractor does terracing work in the non-monumental zone of the area.