September 23, 2021

State Department: Cultural Property Advisory Committee

I am a professional archaeologist with considerable experience in Andean archaeology, including Peru. I have seen firsthand the disastrous depredations caused by looters of archaeological sites, thieves in colonial churches, and robberies of indigenous peoples’ cultural heritage. In Peru looters often work for dealers who themselves are in the pay of US antiquities dealers. Artifacts and other cultural materials are disguised, given false attributions and brought into the United States as ethnological materials of the sort not protected or as souvenirs. Or they are smuggled. I personally know an antiquities dealer from Central America who repeatedly flew into Miami with his pockets full of small antiquities and was never stopped. Once in Miami he sent the pieces (mostly Maya jades) on to the various galleries with whom he had agreements. The seriousness of this problems with Peru can be easily seen online where antiquities galleries such as David Bernstein (New York), Barakat (Beverly Hills), William Siegal (Santa Fe) among many others advertise their stolen goods openly. These three galleries have artifacts including ceramics, metal objects, wooden objects and textiles looted from dozens of Peruvian sites. The Internet, in fact, is full of sites vending stolen Peruvian artifacts, the lower value pieces being seen on Etsy, eBay, and similar sites.

Peru has taken measures consistent with the 1970 UNESCO Convention to protect its cultural property. In fact, its laws regulating trade in archaeological materials (and the looting of archaeological sites from which said materials originate) are over a century old, being updated as seen necessary through the years.

The application of import restriction for archaeological and ethnological/historic materials protected under Peruvian law (which is most), applied in concert with similar restrictions implemented or to be implemented within a reasonable period of time, would be of substantial benefit in deterring a serious situation of pillage. There will always be some smuggling, but the situation in the United States where dealers openly and gleefully display stolen goods is disgusting. It is the fact that any remedy less drastic that the MOU is not available. The application of import restrictions is consistent with the interests of the international community in terms of the exchange of cultural property, etc. In fact, Peru has and has had for many years, clear guidelines on the exchange of cultural property by museums, universities and similar institutions for both study and for exhibit. The scientific and cultural exchange between the United States and Peru is strong and continuous and not affected in the least by import restrictions. What would be affected would be the illegal business of antiquities vending, a line of work which is completely integrated with the drug trade. Thus renewal of the MOU with Peru will affect the importation of cocaine and other drugs as well as the robbery of Peru’s cultural heritage. I strongly support the renewal of the MOU with Peru.

Sincerely yours,

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