Are Cypriot Coins Worth Saving?

The Battle over Import Restrictions on Coins

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On January 25, 2007, my fellow Cultural Property classmates and I sat and watched a milestone occur in the heated debate between numismatists and archeologists. The Cultural Property Advisory Committee (CPAC) held an open session to receive input from the public on the requests for import restrictions from Peru and Cyprus. Unbeknownst to the numismatic community, Cyprus had submitted a last minute request to include coins in their list of potentially protected items. Cyprus included coins in order to defend their archeological sites from looting by metal detectorists; however, many numismatists believed that, if imposed, these restrictions would make the legal trade of ancient coins impossible. This was not the first time transparency issues had been raised in regards to CPAC, and both the representatives of Cyprus and the numismatists felt passionate about their interests.

This episode first began on December 7, 2006, when Peter K. Tompa, an attorney representing the International Association of Professional Numismatists (IAPN) and Professional Numismatists Guild (PNG), emailed the Principal Deputy Assistant Secretary of State C. Miller Crouch to inquire about the upcoming CPAC meeting addressing the renewal of the Memorandum of Understanding (MoU) with Cyprus. The initial email asked about whether or not “new import restrictions on coins [would] be considered” in the upcoming hearing¹. Tompa

¹ Exhibit A in “Statement of Peter K. Tompa on Behalf of the International Association of Professional Numismatists and the Professional Numismatists Guild at Open Hearings of the United States Cultural Property Advisory Committee On Review of the Agreement Between the Government of the United States of America and
explains his interest by stating that “if coins are not in fact on the table, there is no reason for the numismatic community to appear at this hearing or to deluge CPAC with any written comments.” 2 In Mr. Crouch’s electronic response, dated December 8th, he states that “the Department anticipates consideration of extension of the agreement as it currently exists with respect to the categories of material,” meaning that as far as he knew, coin restrictions had not been requested. 3 Because of the uncertainty in Crouch’s email and a history of transparency problems with CPAC, Tompa decided to submit a statement to the Committee and speak at the public session on January 25, 2007. 4

It was not until this public session that the numismatic community discovered that a request had been made to CPAC by the government of Cyprus to include coins in the renewal. As stated by the Bureau of Educational and Cultural Affairs, which oversees the operation of CPAC,

"On 25 and 26 January, 2007, the Cultural Property Advisory Committee met to consider extending the bilateral agreement between the Government of the United States and the Government of the Republic of Cyprus. Shortly before that meeting, Cyprus submitted a request through normal diplomatic channels to amend the Designated List of its cultural materials for which importation is already restricted. The proposal is to include in the Designated List coins minted and found in Cyprus that are more than 250 years old." 5

At this January 25th meeting, Tompa argued that import restrictions on coins were impractical and that this move was unfair to the public. It acted as an example of the transparency problems that the Government of the Republic of Cyprus: January 15, 2007.” Acquired through personal communication with Tompa.

2 Ibid.
3 Ibid.
4 Ibid.
that tarnish the reputation of the Committee. The Cypriot Ambassador to the United States, Andreas Kakouris, assisted by a number of representatives from Cyprus, insisted that ancient coins were a very important element of their request, as looting with the assistance of metal detectors was damaging the country’s archeological sites. According to them, coins are important when trying to date these sites and are at risk due to the profitable practice of looting coins at these locations. In a series of back and forth arguments, many issues related to the establishment of import restrictions were discussed, as well as the transparency problems in the request process.

In an attempt to make up for the lack of notification about the inclusion of coins in Cyprus’s request, CPAC asked for additional comments from the public on the issue. On January 26th, the Committee requested letters that addressed a number of topics and questions, some of which were:

“1. Are coins part of a country’s cultural patrimony and does the looting of coins jeopardize a country’s cultural patrimony?
2. Is scientific excavation of coins important to archeology and the reconstruction of social, political, and economic history?
3. Does the search for coins to sell on the market destroy sites and archeological context (and therefore jeopardize the country’s cultural patrimony) through metal detecting and other looting activities?”

The public had until February 5th to submit these comments, which resulted in many calls for letters by numerous archeological and numismatic professional associations. Because of the

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private nature of the CPAC committee, it is unknown at this time if this MoU with Cyprus will be passed with the inclusion of coin restrictions.\(^7\)

Archeologists have been very vocal about the reasons why import restrictions should be placed on ancient coins. Similarly, coin collectors and dealers have argued against them for practical reasons. Currently there is no realistic and fair way to place the restrictions on ancient coins. Most coins are bought and sold today with little or no provenance, and a coin offers little clues to that provenance. It is my opinion that the state of the coin trade is firmly set in such a manner that instituting requirements for provenance could cripple the industry. If a compromise is to be made in order to protect both archeological sites and the coin trade, it would take internal efforts from both sides. The United Kingdom’s Treasure Act of 1996 provides a solution—which offers benefits to all the involved parties—that can possibly be applied to Cyprus and other similar countries. This law helps to document coins, and could provide a system to attach provenance to new coins entering the market. Import restrictions cannot be fairly applied unless coin dealers create their own standards to require provenance for coins entering the market. Current standards, seen in the Code of Ethics from the Professional Numismatists Guild, instruct its members to refrain from selling coins that are known to have been stolen.\(^8\) But these associations often avoid this by arguing that it is difficult to trace the provenance of ancient coins and therefore know if it has been looted or not. In order to reach a fair solution, an open discussion between archeologists and numismatists must occur, but this conversation cannot be had if the Cultural Property Advisory Committee does not address these issues in an open

\(^7\) Since this paper was written, the bilateral agreement with Cyprus was renewed to include ancient coins on the lists of items with import restrictions. See “Addendum” on page 24 for more information.

manner. To properly protect archeological sites in Cyprus, major changes and compromises are needed from archeologists, numismatists, Cyprus, and CPAC itself.

Many archeological finds have helped scholars piece together Cyprus’s history as a central and important location within the Eastern Mediterranean. Beginning around 1200 BCE, many Greek peoples immigrated to Cyprus and numerous kingdoms were created, which is why the Greek language is predominant on the island today. Cyprus came under the control of the pharaoh Ahmose II of Egypt in 569 BCE, and it was around this time (560-525 BCE) that the first Cypriot coins appeared under King Euelthon of Salamis.

In 522 BCE, when the Achaemenids conquered Egypt, the Cypriot kingdoms became part of the Persian Empire. Cyprus often allied with the Greek peoples in their revolts and supplied naval forces to help fight off the Persian invasion of Greece in 480 BCE. The Persian Empire was then conquered by Alexander the Great after his success over Darius III at Issus in 333 BCE, and subsequently the Cypriots assisted Alexander the Great at the siege of Tyre. Under Alexander, the Cypriot kingdoms were mostly left as they were, but they were not allowed to issue their own coinage. After Alexander’s death in 323 BCE, Cyprus fell under the power of Ptolemy I and became part of his Egyptian kingdom, which would last for about 250 years.

The year 58 BCE saw Cyprus become a province within the Roman Empire. Julius Caesar, for a short time, put Cyprus under the control of Egypt’s Cleopatra VII, but after she was defeated by Octavian (later emperor Augustus) the island returned to Roman possession for the next six hundred years.⁹ During its time within this empire, Cyprus minted its own unique coins,

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Cyprus became part of the Byzantine Empire when the Roman Empire was divided up in 195 CE. It was ruled from Constantinople directly, except for a unique situation in 688 CE when it was jointly ruled by the Byzantine Empire and the Islamic Empire for almost 300 years. After this period, Cyprus fell back under the control of the Byzantine Empire.

After a successful rebellion by the governor of Cyprus (Isaac Comnenus) in 1185 CE, King Richard I (the Lion-Hearted) defeated the new emperor Comnenus and seized the island. It was ultimately sold to Guy of Lusignan, the deposed king of Jerusalem. The Lusignan dynasty fell in 1291 CE, and Genoa took control of the wealthy port town of Famagusta on Cyprus in 1372 CE, holding control over it for almost one hundred years. Egypt overran the island in 1426 CE which led to Egyptian support in the last Lusignan king’s expulsion of the Genoese from Famagusta in 1464 CE. The Lusignan king’s Venetian wife eventually ceded the island to the Republic of Venice in 1489 CE.

Cyprus was invaded by the Turks in 1570, which led to the island’s inclusion in the Ottoman Empire for three centuries. The Cyprus Convention of 1878 allowed the island to remain under Turkish sovereignty but be controlled by the British government. After the United Kingdom and Turkey became opponents in World War I, the British annexed Cyprus and the island became a colony of the crown. Greek Cypriots felt that the island should become a part of Greece, which faced opposition from the Turkish Cypriots. After years of political turmoil over this subject, treaties were ratified in Nicosia (the current capital of the Republic of Cyprus) that declared Cyprus as an independent republic in 1960. This history of the island of Cyprus shows how extensive their connections were and are today. International ties through Cyprus’s often
conquered status, whether by Egypt, Persia, or Rome, shows how various types of coins could have permeated throughout the region.

The state of modern day Cyprus continues to remain turbulent. Tensions continued to rise between Greek and Turkish Cypriots, and fighting broke out in late 1963. In March of the next year, the United Nations sent peacekeeping forces to the island to help calm the various communities. On July 15, 1974, an attempt was made by Greek Cypriots to assassinate the Cypriot president, in order to unify Cyprus with Greece. This group successfully gained control of the government, which resulted in an invasion by Turkish forces five days later to overthrow the new government. The northern third of the island eventually fell under the control of the Turkish Cypriots and the area became the Turkish Federated State of Cyprus. Throughout this tumultuous period, talks had periodically occurred between representatives of the Greek and Turkish Cypriots. In 1977, both sides agreed on guidelines that would define the island as a bizonal federation. The border between these two historically contested areas is commonly referred to as the Green Line. The northern Turkish Cypriot land became the Turkish Republic
of Northern Cyprus in May of 1983, but the new nation was only recognized by Turkey (see figure 1).

Since then, the European Union has been a great mediator, encouraging a positive relationship between the two Cypriot groups. In 1990, the Republic of Cyprus (populated exclusively by Greek Cypriots) started applying for membership in the European Union. Eventually, the EU offered the nation membership as long as they opened up talks with the Turkish Republic of Northern Cyprus regarding reunification, and these talks needed to conclude by March of 2003. Unfortunately, no solution was reached, but Turkish Cypriots did open the border between the two parts of the island. The Republic of Cyprus was allowed into the EU in May of 2004. 11 More hope can be seen in Turkey’s efforts to join the EU as well. The EU has demanded that Turkey open its ports to Cyprus, but Turkey argues it will not comply unless embargos against Northern Cyprus are lifted. In December of 2006, Turkey reportedly agreed to open one harbor and one airport to the Greek Cypriots as long as the EU would open ports at Famagusta and the Ercan airport. 12 Depending on talks between the two sides and efforts by the EU, the island could become calm and secure.

Cyprus’s extensive and rich history has attracted looting to its archeological and religious sites. Tombs have been raided and looted in Cyprus for over three thousand years, but systematic looting has made the problem more severe since the 1800’s. One major treasure-hunter was Alessandro Palma di Cesnola, who did much of his looting under the guise of ‘archeological research.’ Interest arose in Cyprus’s archeological history after the Swedish Cyprus Expedition (1927 – 1931) and its enticing discoveries. Tomb looting further escalated

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during World War II, possibly because of the economically depressed state of the island. Much of Cyprus’s cultural property was illicitly exported by officers and diplomats to the United Kingdom. After the island gained its independence in 1960, many Cypriots grew interested in their own cultural history, which led to additional looting of archeological sites by Cypriots themselves. 13

It seems that currently the Republic of Cyprus has been able to control looting within its Greek Cypriot populations, but the North has not fared so well. Because of the occupied status of the northern portion of the island, the Republic of Cyprus has no way to legally protect archeological sites beyond the Green Line. The area occupied by the Turkish Cypriots is rich in archeological history, with areas like Famagusta which has acted as a major port throughout history. 14 Sophocles Hadjisazzav, of the Department of Antiquities in Cyprus, states that “entire ancient cemeteries and sanctuaries were destroyed in the Famagusta district.”15 There are claims that looting reached a discouraging height, being systematic and organized, with suggestions that even Greek mediators and collectors became involved in the destruction. The Cyprus police estimate that since the Turkish invasion, over 60,000 artifacts have illegally left the island and entered foreign markets. It is believed that much of this illicit cultural property passes through Turkey, which then ships the items to the United States and Western Europe.16 Many of these objects and sites were specifically targeted and looting was generally allowed by Turkish troops occupying the island. All the while, Cyprus has received little help from the outside. The United Nations has previously stepped in to protect the cultural property of other nations during volatile

15 Ibid., 135.
16 Ibid., 135,136, 138.
times, like when Kuwait was invaded by Iraq, but the situation in Cyprus had been ignored. Attorney Thomas Kline argues that Turkey must act to preserve Cyprus’s cultural heritage, as much of the looting has occurred under its consent. He states “the burden is on Turkey to protect the remaining cultural objects in the occupied area and also to account for the looting and destruction it has allowed.” Essentially, sites in Northern Cyprus are left vulnerable and open to looters because of the unstable political climate on the island.

Archeologists also face difficulties when attempting to preserve the archeological sites in the occupied zone. When the Turkish invasion began, all archeological teams evacuated from the northern portion of the island. As I mentioned before, the UN has declared the north as occupied territory and therefore the government of the Republic of Cyprus has no authority. There is tension between universities and archeologists in the Greek and Turkish portions of the island, and there is pressure to not cooperate with the opposing side. An archeologist could essentially ruin his or her own career and reputation by agreeing to work in Northern Cyprus in cooperation with Turkish Cypriot scholars. Typically, excavations can only be executed with the permission of that nation’s department of antiquities, but because the Republic of Cyprus has no authority in the north it becomes impossible. The second protocol of the Hague Convention does not allow excavations in occupied territories, except for when it is needed to protect, record, or preserve cultural property. Both sides of this protocol have been argued, but because the convention is so vague and tensions between the two groups are high, it is difficult to apply this law to the Cypriot situation.

18 Ibid.
One example of looting in Northern Cyprus is the mosaics from the church Panayia Kanakaria, which were stolen and eventually surfaced in a sale by Peggy Goldberg in the United States. These sixth century mosaics were considered fine examples of early Christian and Byzantine art. Much of the Christian art on the island has already been looted, and most of what remains is in the smaller churches like Panayia Kanakaria. After the area was occupied by the Turkish Cypriots, the church was closed in order to protect its valuable artworks. Unfortunately, this was not enough protection, as during a routine inspection by the Department of Antiquities of North Cyprus in 1982, the mosaics were discovered to be missing. The looting in many Cypriot churches is so extensive that it would have required cooperation from local authorities, as the removal of a majority of these mosaics would have taken scaffolding and multiple days of work. The Turkish Cypriot government was responsible for safeguarding these works of art, yet they did very little to actively protect them. The mosaics were accompanied by an export visa from the Turkish Republic of Northern Cyprus, which some claim is a forgery. Nonetheless, since Turkey is the only nation to recognize the Turkish Cypriot government, the export visa was not considered valid in the United States. This means that either the Turkish Cypriot government knowingly let looters transport objects off the island, or they had insufficient procedures in place to detect and deter this illegal movement of cultural objects. The Republic of Cyprus and the Orthodox Church of Cyprus were notified of the mosaics existence in the U.S. after they were repeatedly offered to the Getty Museum by Peggy Goldberg.\(^\text{20}\) The U.S. eventually ruled that the mosaics should be returned to Cyprus, which was done in the summer of 1991. Unfortunately, the mosaics have not been returned to their home church in Northern Cyprus.

because of the political turmoil, but instead are housed in the Museum of Byzantine Art in Nicosia.\textsuperscript{21}

Many efforts have been made by the Greek Cypriot government to curtail and deter looting on the island. From 1874 to 1964, archeologists were able to take home up to a third of what they found, and up to a half after 1935, and the rest of the items would be placed in Cypriot museums. In order to regulate private collecting, the British government created the Antiquities Law of 1905 that requires all private collectors to register their collections with the government. In 1935 a new law was passed that included a clause that legalized previous objects that had not been registered.\textsuperscript{22} This same law created the Department of Antiquities, which would be in charge of protecting Cyprus’s cultural heritage.\textsuperscript{23} The law was later amended in 1964 to include penalties for those who failed to obey registration requirements. The hope was that these laws would encourage only legal collecting, and hurt the market in illicit objects. Laws requiring proper collecting habits were not always followed, as many believed that purchasing illegal goods preserved and saved the objects for future Cypriots, instead of the objects permanently leaving the island. This frequently included direct purchases from Turkish Cypriot looters.\textsuperscript{24} Currently, the law in Cyprus requires a special permit from the Director of Antiquities in order to begin any kind of archeological excavation. The exportation of antiquities is allowed as long as a written license issued by the same Director accompanies the object. This requirement was changed in 1996 when the export of all antiquities from the island was banned. Objects can only leave the island for the purpose of exhibitions and scientific study.\textsuperscript{25}

\textsuperscript{21} Hadjisavvas, “The Destruction of the Archeological Heritage of Cyprus,” 135.  
\textsuperscript{23} Hadjisavvas, “The Destruction of the Archeological Heritage of Cyprus,” 134.  
\textsuperscript{24} Herscher, “Destroying the Past in Order to ‘Save’ It,” 146-47.  
\textsuperscript{25} Hadjisavvas, “The Destruction of the Archeological Heritage of Cyprus,” 138.
In an attempt to restrict the international trade of looted objects, the UNESCO General Council adopted the Convention on the Means of Prohibiting the Illicit Import, Export, and Transfer of Ownership of Cultural Property in 1970 (referred to as the Convention). In the United States, the Convention was not implemented until December of 1982 when the Convention on Cultural Property Implementation Act (CPIA) was passed by the Senate.\textsuperscript{26} According to the CPIA, any nation that has signed the 1970 Convention could submit a request to the Cultural Property Advisory Committee (CPAC) for import controls in order to protect that nation’s cultural heritage. CPAC would then submit a recommendation to the President as to whether or not an agreement should be made to create the requested import restrictions for that nation.

CPIA and the UNESCO Convention provide a number of definitions pertaining to cultural property that can sometimes be difficult to interpret. Import restrictions can only apply to archeological or ethnological materials and in relation to coins, I will focus on the definition of archeological materials. The CPIA defines an object to be of archeological interest if it:

“(I) is of cultural significance;

(II) is at least two hundred and fifty years old; and

(III) was normally discovered as a result of scientific excavation, clandestine or accidental digging, or exploration on land or under water”\textsuperscript{27}

The CPIA also uses the Convention’s definition of cultural property, which includes:

“b. property relating to history, including the history of science and technology and military and social history…

\textit{c. products of archaeological excavations (including regular and clandestine) or of archeological discoveries…}

\textsuperscript{26} Marie C. Malaro, \textit{A Legal Primer on Managing Museum Collections} (Washington, DC: Smithsonian Books, 1998), 88-90.

\textsuperscript{27} Convention on Cultural Property Implementation Act, Sec. 302 (2) (i).
e. antiquities more than one hundred years old, such as inscriptions, coins and engraved seals”

These definitions work in accordance with U.S. import restrictions in order to hinder the illicit movement of cultural property and therefore curtail the illegal market for these antiquities. German historian and specialist in Cypriot history, Klaud Gallas, states that “if the market for stolen goods is blocked, this may put a stop to treasure-seekers, smugglers and thieves, and cultural monuments such as temples, churches and tombs may in the future be left intact and no longer destroyed by clandestine digs.”

In order to address problems of looting, the United States has previously entered into two agreements with Cyprus. The first was an emergency action taken in April of 1999 that dealt with the protection of Byzantine ethnological material. This agreement was extended in August of 2003. The second agreement was implemented in July of 2002, and placed import restrictions on pre-Classical and Classical archeological material. Cyprus has previously demonstrated to CPAC a need for import restrictions, to which the Committee has repeatedly agreed.

This is not the first time that import restrictions in coins have been requested or suggested. Previously, China, Italy, and Cyprus have all unsuccessfully asked for the inclusion of coins in their lists of endangered cultural materials to be protected. In 1998 CPAC considered the issue of import restrictions on ancient Cypriot coins, and ultimately recommended that coins not be included in the original bilateral agreement. There is no precedent for import

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restrictions on coins, and if this request is agreed to as it stands, it could inspire other art-rich countries to ask for similar actions.

Previously, representatives from the numismatic community have had difficulties acquiring documentation regarding these requests made to CPAC. The process of requesting and imposing import restrictions on cultural property has been described as overly secretive.32 Currently, twelve requests under the Freedom of Information Act (FOIA) filed by the International Association of Professional Numismatists (IAPN), the Professional Numismatists Guild (PNG), and the Ancient Coin Collectors Guild (ACCG) are unfilled. These requests relate to the consideration of import restrictions on coins as requested by China, Iraq, Italy, and Cyprus. The numismatic community fears that these restriction requests are due to the influence of an outside source. These FOIA requests are an attempt to get CPAC to disclose what influence American archeologists had on the inclusion of coins, specifically in the case of China.33

In 1998, while addressing CPAC about the original archeological materials to be included in the request from Cyprus, the numismatic representatives were unsure if coins restrictions were even being considered. Eventually, they discovered that coins were included, but ultimately were omitted from the bilateral agreement with Cyprus. Again, FOIA requests have been made in relation to this event and have not yet been filled.34 I have already described how the numismatic community was misinformed about the inclusion of coins in Cyprus’s most recent request to CPAC. Peter K. Tompa argues that “given the complete lack of formal notice” it

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33 Peter K. Tompa, “FOIA Requests from the International Association of professional Numismatists (IAPN), the Professional Numismatists Guild (PNG) and the Ancient Coin Collectors Guild (ACCG) to the Department of State,” March 26, 2007, acquired through personal communication with Peter K. Tompa.
would be unfair to continue to consider import restrictions on coins for Cyprus. He states that the new requests should have been published in the Federal Register in order to allow those interested to address the issue fully and properly in the public session. CPIA stipulates that “the application of the import restrictions…is consistent with the general interest of the international community.” The simplest way to ensure this requirement is met is to solicit public commentary on the elements of each request. Furthermore, CPIA states that in the creation of a list of materials to receive import restrictions that “fair notice is [to be] given to importers and other persons as to what material is subject to such restrictions.” Many concerned numismatic associations and organizations were not notified of the additional request and therefore were not adequately warned. Because of this failure, groups like the American Numismatic Association, Ancients Coins for Education, and the Ancient Coin Collectors Guild were denied the chance to argue for their members’ interests.

Some claim that the numismatic community has been purposefully misinformed by State Department staff and CPAC due to ties with and sympathies to the archeological community. According to CPIA, CPAC must consist of eleven members, representing a number of different interests. Two seats should be held by people from the museum community; three seats should be scholars in the fields of archeology, anthropology, ethnology, or related areas; three seats should be experts in the international sale of cultural property; and finally, three seats should

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37 Convention on Cultural Property Implementation Act, Sec. 303 (a) (1) (D).
38 Ibid, Sec. 305.
39 Tompa, to Ms. Dina Habib Powell, 2.
represent the interests of the general public. Peter K. Tompa argues that individuals with “extreme archeological view[s]” have been appointed to the seats reserved for members of the public and the museum community. He also claims that employees of the Bureau of Educational and Cultural Affairs’ Cultural Heritage Center hinder the process because of their archeological sympathies.

Many archeologists believe that there are logical reasons for import restrictions on coins. The basic argument is that the looting of coins rips them from their archeological context and damages archeological sites. Once an undocumented object leaves the ground, much of the archeological data is lost forever. The use of metal detectors to find coins makes it easier for looters to find and remove coins from their context.

Depending on where and in what context a coin is found, it can provide a great deal of information, claims Stephen L. Dyson, former President of the Archaeological Institute of America. A coin hoard can represent a personal or family fortune, which sometimes is hidden due to a tragedy or major event, that was buried and either lost or forgotten. An inaccurate interpretation of an archeological site can result if a portion of that hoard is missing due to looting. If archeologists can determine the date the hoard was lost or buried, it can suggest the occurrence of a major event like an invasion or rebellion.

Obviously, coins can also be an indicator of economic activity. These coins can be evidence of trade patterns, fluctuations in the economy, and the operation of regional mints. In the right context, coins can also help to date the various layers within an archeological site. Coins are often marked with portraits of rulers, which can indicate that the date of minting might have been during that ruler’s reign. If the date of minting can be determined, and the coin is

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40 Convention on Cultural Property Implementation Act, Sec. 305.
41 PRWeb, “The ‘Other’ War in Washington.”
found within the proper environment (a burial or stratigraphic context), the minting date becomes the earliest possible date of the site. Similarly, if a coin is found beneath a sealed floor, it can help to date the construction of that building. In an excavation at a cemetry in Salamis, conducted by Vassos Karageorghis, a skeleton was found with a coin in its mouth, which serves as an example of classical Cypriot funerary practices.43

Archeologists also are pressured to prove that Cypriot coins can accurately be identified and can mostly be found in Cypriot soil. C. Brian Ross, the president of the Archaeological Institute of America, states that Cypriot coins minted in the individual sixth century kingdoms and during the island’s inclusion in the Roman Empire remain unique. He also argues that Cypriot coins were rarely removed from the island in classical times, and that these coins are seldom found in legal excavations in neighboring countries like Syria, Turkey, Lebanon, and Israel.44 Despite their similar goals relating to investigating the past, archeologist and numismatists argue very different sides in relation to the protection of coins.

Numismatists have argued vehemently against import restrictions of any kind on coins. Provenance rarely accompanies coins on the market today, which means coin dealers would not be able to prove the legality of much of their merchandise. Dealers would be forced to forfeit their collections at customs even if the coins were acquired through legal channels. Even properly excavated coins hardly ever have a known provenance, so the numismatic trade would not be able to survive import restrictions. Generally, only coins from prestigious collections or famous archeological sites are accompanied by any kind of ownership history.45

41 Ross, to the Cultural Property Advisory Committee, February 3, 2007, “AIA President's Letter to CPAC.”
42 Ibid.
Another difficulty with the proposed import restrictions is that there is no way to prove a coin was found in Cypriot soil. Coins, by nature, were meant to circulate, and just because a coin was minted in Cyprus does not necessarily mean that the coin remained on the island. While archeologists argue that Cypriot coins generally did not leave the island, numismatists claim the opposite. Peter K. Tompa believes that this may be true for early Cypriot coins, but later issues traveled all over the Mediterranean world in relation to the dominant empire.\(^46\) This means that two identical coins could have been discovered in the ground of two different countries, and that distinction between the two could not be known without reliable provenance.

It is also suggested that because of the large number of surviving ancient coins, they no longer can be considered “culturally significant” in relation to CPIA.\(^47\) Similarly, because there is a sufficient supply of these coins, they are relatively affordable and therefore not extremely profitable finds for looters. But if restrictions were to be placed on Cypriot coins, most newly discovered objects would be deposited within Cypriot museums. These institutions most likely do not have the resources to properly care for the coins and they might be less available to the public.

Numismatists also insist that coins found at archeological sites are usually in such a decayed state that they are undesirable in the antiquities market. Coins that are considered to be in collectable condition are typically found within hoards outside of archeological zones.\(^48\) If a coin is found within a site, Tompa argues that it is only valuable for dating the site if it is found

\(^{46}\) Peter K. Tompa, to Jay I. Kislak, Chairman, Cultural Property Advisory Committee, February 1, 2007 “Request for Import Restrictions on Coins at the Behest of the Republic of Cyprus.” Acquired through personal communication with Peter K. Tompa, 3-4.


within a secure context, like under a sealed floor. These limited benefits, according to numismatists, are minimal enough that coins should not be considered culturally significant. Looting practices and the market for ancient coins have not changed since the previous request for import restriction on Cypriot coins was rejected. Numismatists believe that this time period since the previous Memorandum of Understanding means that CPAC, faced with the same evidence, should reach the exact same conclusion in the renewal of the bilateral agreement. It would also be impossible to create a precise list of coins to be protected, as this would need to include any and all coins that could be found within Cypriot soil. Furthermore, it would be difficult to teach customs officials to identify these coins.

In response to the previous actions of CPAC, many institutions have made efforts to avoid collecting illicit cultural property. Professional museum associations like the American Association of Museums (AAM) and International Council of Museums (ICOM) all have produced guidelines on collecting cultural property. These documents all repeat the same concerns about museums unknowingly supporting looting through the purchase of illicit materials. It should be noted that none of these guidelines directly address the issue of coins. Because it is difficult to determine where a coin was unearthed from its appearance, and provenance is usually unknown, museums and dealers may not be as easily accused of purchasing looted coins. But just because a museum is unaware or there is no way to prove an item’s illicit history, does not mean that they should still invest in that object. In large coin collections, it is likely that at least a portion of them were looted. Most museums are adopting language in their own policies that discourage the purchasing of looted cultural property. Is it

hypocritical that museums acquire objects like coins that have no provenance? This is a difficult question facing museums today, as it is impossible to prove or disprove a coin’s illicit past.

As neither an archeologist nor a numismatist, I have researched and examined the cases and interests of both parties. These groups have made numerous opposing arguments and more research is needed on how far Cypriot coins traveled in antiquity. It is possible that a coin could offer little information in relation to an archeological site, but it is also possible that a coin could be an important element in the interpretation of a site. The main reason that coin restrictions have not been imposed before was because there has not been a reasonable way to apply them. I believe that coins should be considered cultural property and therefore be subject to import restrictions because of the various types of information that can be learned from them in the context of an archeological site. As I have explained, the solution is not that simple. As the coin trade stands currently, it could not survive a bilateral agreement between Cyprus and the U.S. that includes import restrictions on coins. As much as these restrictions are needed, there is no way to realistically and fairly apply them. The study of and trade in coins dates back to the Renaissance and has firmly set standards. The numismatic trade must be revamped in order to require more provenance and to allow the application of import restrictions to protect archeological sites. This type of reorganization must be self-imposed in order to be effective. Through internal efforts within numismatic professional associations and an examination of how another country is addressing the looting of coins, a possible solution could be reached.

In 1996, the United Kingdom created its Treasure Act, which was meant to provide a better and more reasonable process for dealing with looting through the use of metal detectors. Under this law, when “treasure” is found, it must be reported to that district’s specified official, who will then direct the finder to a local museum or archeological organization. The finder will
then turn over the treasure along with the location of its find-spot and a receipt will be issued in return. The find-spot will be added to a national list available to archeologists so that they can further investigate the location for other materials. If the museum or archeological organization does not want the objects, they will be returned to the finder. However, if the group wishes to acquire the treasure, it will be transferred to a special committee, consisting of independent experts, that will assign a value to the objects. As long as the finder discovered the treasure in a legal manner, he or she will receive a reward from the committee. As Tompa states, “it gives museums the right of first refusal, finders the prospect of a reward, and dealers and collectors the prospect of access to coins with a demonstratable provenance.”

If Cyprus adopted a law similar to the Treasure Act of 1996, it would provide a practical process for introducing coins to the market with reasonable provenance. In order for the law to be successful, it must have the full support of numismatic associations. Museums and dealers can adapt their own policies that ensure that when purchasing coins that have recently entered the market, they are accompanied by the provenance provided through the law. Once the numismatic community has adapted to this new law, it would be easier to implement import restrictions through a CPAC recommendation.

This suggestion does not even begin to provide a reasonable answer to all of the concerns raised by archeologists and numismatists, but I believe through compromise, a realistic and practical solution can be reached. Metal detectorists could still potentially damage archeological sites, but through proper education, it could be minimized. If the Cultural Property Advisory Committee continues to remain secretive over its deliberations, it will make this difficult adjustment nearly impossible. Because of the political turmoil in Cyprus, this law could not be

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53 Tompa and Brose, “A Modern Challenge to an Age-Old Pursuit,” 212.
implemented in the occupied North. The only way to protect cultural property in the Turkish Republic of Northern Cyprus is through cooperation between the Turkish and Greek Cypriots, possibly facilitated by the European Union.

The issue of saving the cultural heritage of Cyprus is an important one that should be openly discussed in order to achieve a better solution. Each side of this argument that took place on January 25th, 2007, has a valid and legitimate interest in the implementation of import restrictions on coins. An honest discussion of these issues within the confines of a CPAC public session is only the beginning of a process that has the potential to fairly and reasonably preserve coins and the cultural property of Cyprus.

Addendum

Since this paper was written in April of 2007, a decision was reached by the State Department regarding Cyrus’s coin request. The Federal Register Notice, dated July 16, 2007, lists the items to be protected by the extension of the agreement between the United States and Cyprus. Significantly, ancient Cypriot coins are included on the list. The Memorandum of Understanding covers coins that are “made of gold, silver, and bronze” and:

“1. Issues of the ancient kingdoms of Amathus, Kition, Kourion, Idalion, Lapethos, Marion, Paphos, Soli, and Salamis dating from the end of the 6th century B.C. to 332 B.C.
2. Issues of Hellenistic period, such as those of Paphos, Salamis, and Kition from 332 B.C. to c. 30 B.C.
3. Provincial and local issues of the Roman period from c. 30 B.C. to 235 A.D. Often these have a bust or head on one side and the image of a temple…or statue…on the other.”

54 Cyprus: Federal Register Notice Containing the Designated List. 16 July 2007, p. 5.
Understandably, responses to this decision were mixed. Cyprus and the archeological community praised the State Department for setting a precedent, as previously such a broad action had not been taken to protect ancient coins.

Conversely, numismatic associations were upset and feared that these import restrictions would greatly restrict the trade of all Cypriot coins to the detriment of many dealers. Anger arose concerning the secrecy of the process in which this decision, and all those before it, was made. Requests under the Freedom of Information act were never fulfilled, which led numismatic associations to take action. On November 11, 2007, a lawsuit was filed against the State Department demanding greater transparency and the disclosure of the processes and recommendations involved in bilateral agreements. The interests of the coin collectors and dealers were represented by three organizations: the Ancient Coin Collectors Guild (ACCG), the International Association of Professional Numismatists (IAPN), and the Professional Numismatists Guild (PNG). Specifically, they are asking for documents for which they have previously requested regarding import restriction on coins from Italy, China, and Cyprus.55 Wayne G. Sayles, the executive director of ACCG argues that “we need that transparency to make sure our position is considered and that our rights are maintained.”56 Peter K. Tompa hopes the requested documents will show that the State Department’s agreement on coin restrictions was created in opposition to the recommendation from the Cultural Property Advisory Committee. These numismatic associations anticipate that the information learned

56 Ibid.
from these documents will help them to challenge the current import restrictions on Cypriot coins.\(^{57}\)

If Tompa, Sayles, and their associates are successful, it could change how CPAC and the State Department handle future bilateral agreements. Regardless of the outcome of the lawsuit, it will be interesting to observe how numismatists and dealers adjust to the importation ban and how the protection of Cypriot archeological sites improves. This will be a time of intriguing changes for both the State Department and professional numismatists.

**Bibliography**


\(^{57}\) *Ibid.*


Tompa, Peter K. “FOIA Requests from the International Association of professional Numismatists (IAPN), the Professional Numismatists Guild (PNG) and the Ancient Coin Collectors Guild (ACCG) to the Department of State” March 26, 2007, acquired through personal communication with Peter K. Tompa.


United States State Department. “Chart of Current and Expired Import Restrictions.”
International Cultural Property Protection Website