

**Testimony of Dr. Stephen Acabado before the Cultural Property Advisory
Committee on the Proposed Renewal of US-Cambodia MOU**

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Background: I am a Southeast Asian Archaeologist who has active research programs in Southeast Asia, including Cambodia. I have conducted fieldwork and research in Cambodia in 2003 and 2004 and have continued my collaboration with Cambodian archaeologists. I have also curated an exhibit that focuses on Cambodian water management systems in 2004. I supervise a Khmer archaeologist as the Cotsen Postdoctoral Fellow at UCLA. In the summer of 2023, I will be directing an archaeological field school in the country that aims to provide training for US students interested in the archaeology of Cambodia. This field school is part of the larger Program for Early Modern Southeast Asia, funded by the Henry Luce Foundation. I am also an expert member of the International Committee on Archaeological Heritage Management (ICAHM), a scientific committee of the International Council on Monuments and Sites (ICOMOS), the main body advising UNESCO on the conservation and protection of cultural heritage places around the world. On behalf of myself and the Society for American Archaeology, I strongly support the proposed renewal of the Memorandum of Understanding with Cambodia for the protection of its archaeological heritage. My testimony will focus on the four determinations as outlined in the Cultural Property Implementation Act.

1. Cambodia's archaeological heritage is still under threat from looting and illegal antiquities trade.

Cambodia's archaeological heritage and the loss of its archaeological materials started during the colonial period where French administrators exported materials to France for exhibitions in Europe. It began with a series of inventory surveys and removal of statuary for colonial exhibitions in Saigon and Paris. Provincial French protectorate residents collected statues from temples located within their administration. Many of these objects were eventually sent to the Musée Khmer in Phnom Penh and later transferred to the current National Museum. However, rampant looting occurred in the period spanning the 1970s to the early 2000s. Sites were destroyed, and archaeological materials were looted. These fueled black-market trade of Cambodian cultural properties (archaeological and ethnographic).

Although there are no official statistics that track the number of items that left the country, it is presumed that there are still a significant number of looted items that are in private collections (Read: [Davis, 2020](#)) and are in danger of being lost forever into the

black market. As recent as 2014, illicit collection and trafficking of Cambodian antiquities were reported and were tied to funding terrorism (Read: [National Geographic, 2014](#)).

The lack of records of looted items is attributed to the absence of a countrywide inventory of archaeological and ethnographic items. This dearth of inventory is a consequence of the actions of the Khmer Rouge regime (1975-1979), when most archaeological professionals perished. It was not until after the mid-1990s that Cambodia re-started regaining its roll of professionally trained archaeologists who are now responsible for the protection of the country's archaeological heritage.

With the new generation of archaeologists and the establishment of agencies (i.e., Ministry of Culture; APSARA Authority) tasked to protect the country's archaeological heritage, Cambodia is taking important steps to stop antiquities trading and requesting for countries that hold Cambodian cultural properties to repatriate their cultural items.

2. Cambodia has taken steps internally to protect its cultural resources and is fulfilling its commitments under the current MOU.

As stated above, Cambodia has taken important steps to protect its cultural resources. The country is also supported by the Association of Southeast Asian Nations (ASEAN). In a conference held in September 2022, Cambodia's Ministry of Culture released a roadmap to combat illicit trade in cultural property (Read: [Roadmap](#)). The roadmap provides concrete steps in protecting the country's heritage. Cambodia reiterated its commitment to the [2000 ASEAN Declaration of Cultural on Heritage](#), the [2016 Vientiane Declaration on Reinforcing Cultural Heritage Cooperation in ASEAN](#), [2017 ASEAN Declaration on Culture of Prevention for a Peaceful, Inclusive, Resilient, Healthy and Harmonious Society](#), and the [2020 Narrative of ASEAN Identity](#).

Cambodia's active involvement in the ASEAN has resulted in the 2022 ASEAN Declaration Commits Southeast Asia to Combating the Illicit Trade in Cultural Heritage. According to ASEAN's press release, this declaration included an unprecedented pledge by all ten Member States to combat the illicit trade in art and artifacts, a transnational crime that is threatening the region's rich heritage, local communities, and national economies. Specifically, as part of a broader commitment to promoting global cooperation and peace, it urges ASEAN governments to:

ENHANCE the contribution of culture and the arts to promoting sustainable development through support for cultural and creative industries, as well as cultural property protection and preservation against cultural losses due to illicit trade and trafficking, climate change, and human-induced and natural disasters.

Internally, Cambodia's Ministry of Culture and Fine Arts is making great strides to implement the country's heritage protection laws. Cambodia's regional and site-specific cultural heritage protection agencies that manage UNESCO World Heritage Sites (i.e.,

Angkor, Preah Vihear, and Sambar Peri Kuk) have also strengthened their mandate and implementation of heritage laws to protect their cultural properties.

3. Import restrictions still the best available method the U.S. can use to prevent the importation of stolen objects

Although, the current MOU between the United States and Cambodia enabled the return of 30 looted antiquities to Cambodia (Read: [30 looted antiquities returned](#)), the demand for illicit antiquities from Cambodia is still a reality. A 2011 study showed that US auction houses like Sotheby's and Christie's have facilitated the sale of antiquities from Cambodia (Davis 2011). Davis' study suggested that between 1988 and 2010, Sotheby's auctioned 377 lots of Khmer antiquities. Only 29% of these items had provenance, or ownership history, which traced them to previous publications, exhibitions, or collections. And even if they had provenances, they were mostly weak, suggesting that they could have entered the US market illegally (p. 171). In 2012, the New York Times also reported that Sotheby's attempted to sell a Cambodian statue. Subsequent investigations revealed a complex trafficking network that supplies the global art market, including the United States (Davis 2015, 95).

In addition to auction houses and the black market, small artifacts like beads, small carvings and statuary are available on sale through online sites like eBay (i.e., [beads](#), [statuary](#), [Buddha Head](#)).

The proliferation of these antiquities in the US, thus, demonstrate that combatting illicit antiquities trafficking can be successfully implemented within the US through the implementation of US restrictions on the importation and sale of Khmer artifacts (cf. Davis 2011, 172).

4. Renewing the agreement will strengthen cultural exchange and bilateral relationship between the US and Cambodia

The United States is home to about 339,000 Americans with Cambodian descent, the largest Cambodian community outside of Cambodia. Particularly, California is home to the majority of Cambodians in the US. Renewing the US-Cambodia MOU will facilitate further cultural engagement between the diaspora with their home country, which will also strengthen the bilateral relationship between Cambodia and the US. The cultural exchange is particularly important since studies have shown that immigrant youths who have been exposed to their ethnic history and culture are more likely to succeed later in life and significantly reduces incidences of suicides (Huang and Stormshak 2011).

More recently, the California Science Center, in collaboration with the Cambodia Ministry of Culture and Fine Arts, successfully exhibited loaned Khmer artifacts as part of the exhibition, "[Angkor: the Lost Empire of Cambodia](#)". This drew a lot of Cambodian-Americans to rediscover and/or strengthen their ethnic identities.

The Center for Southeast Asian Studies at UCLA will also contribute to cultural exchange by organizing an [archaeological field school in Cambodia](#), supported by funding from the Henry Luce Foundation, the UCLA Cotsen Institute of Archaeology, and the UCLA International Institute.

In addition, the resurgence of Cambodian archaeology was helped in large part by programs established by the University of Hawai'i and the East West Center in the mid-1990s. A renewal of the MOU, thus, will maintain the huge role of the United States in the protection of Cambodian heritage.

Lastly, the repatriation of Cambodian antiquities facilitated by ICE has also impelled Prime Minister Hun Sen to acknowledge the role of the United States in the recovery and return of stolen items to Cambodia (Read: [Hun Sen thanks Biden](#)).

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