

**Testimony of Claudia Chang before the Cultural Property Advisory Committee on the Proposed
Creation of a US-Uzbekistan MOU**

January 30, 2023

My name is Claudia Chang, and I am a Professor of Anthropology Emerita at Sweet Briar College and a Research Associate at the Institute for the Study of the Ancient World, New York University. My testimony today is given on behalf of myself and the Society for American Archaeology (SAA).

As a researcher I have conducted surveys and excavations in the Central Asian Republics of Kazakhstan and Kyrgyzstan since 1994, and continued to do so through 2022. In 2008, 2013, and 2017, I guided and gave lectures to archaeological enthusiasts as part of the Archaeological Institute of America's Silk Route archaeological tours to the five UNESCO world heritage sites of Uzbekistan: Bukhara, Samarkhand, Shakrisabz, and Itchan Kala (the inner fortress of Khiva). This testimony is based on my observations and internet and site inventory information provided by Dr. Dmitry Voyakin. Dr Voyakin is the current Director of the International Institute for the Study of Central Asia, an Institute founded by UNESCO's Silk Roads Expedition in 1995, and situated in Samarkhand, Uzbekistan.

I strongly support the proposed Memorandum of Understanding (MOU) between the Government of Uzbekistan and the U.S. Creation of this MOU will (1) facilitate the protection of archaeological sites and cultural materials on the territory of Uzbekistan; (2) strengthen national protections against the looting or destruction of archaeological sites within Uzbekistan; and (3) foster and exchange between U.S. and Uzbeki archaeologists and researchers.

The Importance of Uzbekistan's Historic Resources to The World

Uzbekistan is a former Soviet Republic which achieved its independence from the U.S.S.R. in 1991. The territory of Uzbekistan is 447, 400 square km (172,742 sq mi.), and has a population of 34,925,000 people (World Data information). The total number of registered sites of material and cultural heritage in 2021 was 8,208 (Dmitry Voyakin, personal communication 2023) (see Appendix 1 for a total counting of these architectural monuments and sites). Uzbekistan's cultural heritage is both unique and priceless. Its land is a cross-road of civilizations and important cultures. There is evidence for a Middle Paleolithic presence of early humans. Other resources include early Neolithic sites, and the remains of various Bronze Age cultures. The famous Sogdian palace of Varakhsha, with its beautiful Khorezm murals, is a prime example of Iron Age civilization, dating back to 100 B.C. Many of these sites were investigated and excavated by Soviet-era archaeologists like Shiskin, Masson, and others (Klejn 2012).

Uzbekistan is also home to the three famous Islamic period walled cities of Bukhara, Samarkhand, and Khiva. These medieval fortresses and walled cities, built of mudbrick architecture, were extensively restored and preserved during the Soviet period. They are home to medieval mosques, mausoleums, madrassas and architectural features unsurpassed in the world, some spanning from the 8th century AD to the 17th century AD. Two of the cities still retain living populations. Their importance to the famous overland Silk Route was recognized through their designations as UNESCO World Heritage sites.

The Looting of Archaeological Sites is a Serious Problem

In Uzbekistan, as elsewhere in the former Soviet Republics, an activity known as “black archaeology” occurs among local citizens. They conduct illegal excavations of burial sites and archaeological monuments in order to obtain artifacts which are then illicitly trafficked.

Unfortunately, the scale of the looting and the trade in antiquities is considerable, and the Uzbeki government, professional archaeologists and museum personnel are aware of the effects of these illegal practices on their nation’s precious historical and cultural heritage. This activity is not new. The robbery of Scythian period (Iron Age) mounds and graves, for example, dated back to the Tsarist era, and resulted in the extensive looting of jewelry, weaponry, and fine wrought “animal style” ornaments made of precious metals and inlaid stones. Central Asian colleagues estimate that at least 70 percent of the Scythian/Saka burial mounds dating to the first millennium BC have been robbed either in antiquity and in contemporary times (certainly this is true in the neighboring nations of Kazakhstan and Kyrgyzstan). Some robbed grave objects date back to the Bronze Age (2500 BC to 1000 BC). The population increase and construction activities in the district of Yakkabagh district has resulted of bulldozing of in the locality of Ozodilik where seven hills containing artifacts dating back to the fifth and sixth centuries BC (of the Achaemenid Empire) have been destroyed both by construction activities for a brick factory and house-building in 2020 (<https://www.rferl.org/a/uzbek-archaeological-sites-destroyed-by-modern-construction/30958186.html>). This is a single example of the fear that population expansion in Uzbekistan and expanded construction activities will lead to widespread loss of archaeological sites. While it may be impossible to estimate the amount of construction, the Uzbekistan government and President Mirziyoyev has mandated greater measures for the protection of archaeological sites. In fact the President said in a government meeting on tourism on April 26,2022 that an estimated theft of artifacts from 3000 items have been stolen from 14 museums over the past decade, estimating a value of 335 million USD (<https://eurasianet.org/uzbekistan-355m-in-artifacts-stolen-over-three-decades>).

The Uzbekistan Government Is Taking Steps to Protect Its Heritage

The government of Uzbekistan has long realized the great value of its priceless monuments, sites, and cultural heritage. The law on the Export and Import of Cultural Property (see Appendix 2) was enacted precisely in order to prevent that nation’s irreplaceable historic and cultural materials from being permanently removed from its territory. Prime Minister A. Aripov signed order No. 846 on October 4, 2019, “On approval of the National List of Real Estate Objects of Material Cultural Heritage.” This declaration now specifies the punishments given to individuals who destroy or damage objects of material cultural heritage, including fines and imprisonment (<https://podrobno.uz/cat/obchestvo/v-uzbekistane-usilili-otvetstvennost-za-unichtozhenie-razrushenie-ili-porchu-istoricheskikh-obektov-/>). Officials of the Cultural Heritage Agency are responsible for protecting these objects and aiding the enforcement of this declaration.

Draft laws, such as “On Amendments and Additions to Certain Legislative Acts in Connection with Strengthening the Protection of Material Cultural Heritage”, have also specified that “objects of artistic, historical heritage of the peoples of Uzbekistan and foreign countries will lead to the formation of a unified investigative practice in this area” (see <https://otpusk.uz/ru/article/import-export-of-cultural-property>).

Given the history of Uzbekistan under the rule of the U.S.S.R., it is not surprising that there is a long-term relationship between the Russian Federation and the government of Uzbekistan concerning Uzbeki antiquities and other invaluable objects that currently reside in the Russian Federation. Both Russia and Uzbekistan are working towards resolving the status of these items, some of which are being returned to Uzbekistan. For example, 29 manuscripts in Arabic and 16 ceramic objects, illegally exported in April 2016, were recently returned to Uzbekistan’s State Museum of Arts (in Tashkent) (<https://customs.uz/ru/news/view/6357>).

Import Restrictions On Uzbekistan’s Archaeological Materials Are Necessary

In 2022 Director Eric Catalfamo and Cultural Property Research Analyst Anne Compton of the Cultural Heritage of the US Department of State’s Bureau of Educational and Cultural Affairs Office met with Government officials in Uzbekistan to initiate the process of developing a bilateral agreement to protect cultural property from trafficking (<https://uz.usembassy.gov/representatives-of-the-u-s-department-of-states-cultural-heritage-center-visit-uzbekistan-to-develop-bilateral-agreement/>).

In their meetings with Uzbekistan’s Minister of Tourism and Cultural Heritage, Uzbek Customs officials, Uzbek prosecutors, both sides recognized the necessity to mandate import restrictions on Uzbekistan’s archaeological and cultural material objects. The Uzbekistan government has clear principles regarding the export and import of cultural property. Article 1 states that the purpose is to protect cultural property from its illegal export and import. The underlying concepts of material objects to be protected include a definition for moveable objects of the material world of national, historic, scientific, educational, spiritual, moral, and other cultural significance. Items such as collections from museums, information and library intuitions, archives, departmental archives, films, photo, music libraries, art galleries, and other repositories are included in this mandate. Objects acquired by archaeological, ethnological and natural-science expeditions must be taken with the consent of the appropriate administrative bodies, both in Uzbekistan and other nations. These statutes protect both what is taken from Uzbekistan and what comes into Uzbekistan (therefore the Uzbekistan government recognizes that illegal trade in items such as antiquities can go in both directions for any bilateral agreement) (<https://otpusk.uz/ru/article/import-export-of-cultural-property>).

Uzbekistan Is Open to Scientific Exchange with The International Community

To my knowledge, there are at least three major excavation teams in Uzbekistan sponsored in part by U.S. researchers. These include the Bukhara Basin project, led by Dr. Soren Stark of ISAW, New York University; and the Tash Bulak Project, a collaborative research project directed by Dr. Michael D. Frachetti, Department of Anthropology, Washington University-St. Louis, and Dr. Farhan A. Makusdov of the Samarkhand Archaeology Center on Qarakhanid

Archaeology; and a project by Dr. Robert Spengler (Max Planck Institute) on the Archaeobotany of the Bukhara Basin. These important archeological projects are models for international cooperation, shared resources, and research exchange between the world and Uzbekistan. These collaborative research projects primarily focus on the excavation and laboratory research of medieval period sites and monuments in the Bukhara oasis, and in the uplands of eastern Uzbekistan (the Tash Bulak project). The projects sponsored by U.S. grant-making agencies and universities involve the training of graduate students and professional archaeologists in Uzbekistan, the U.S., and Europe. International archaeologists working in collaboration with their Uzbek colleagues must conform to the rules, ethics, and principles of Uzbekistan's laws on cultural property, the protection of archaeological monuments, and the preservation of cultural and historic resources.

Currently two major exhibitions of Uzbekistan's artifacts are scheduled to tour France in 2022-23: "The Splendours of Uzbekistan Oases. At the Crossroads of Caravan Routes" including artifacts from the 5th to 6th centuries BC to the 15th century CE period of Tamerlane and the exhibition "The Road to Samarkhand. Miracles of Silk and Gold" which includes applied arts, as well as some of the famous Avant Garde paintings collected by I.V. Savitsky in Nukus (<https://www.un.int/uzbekistan/news/two-exhibitions-uzbekistan-will-become-main-museum-attraction-paris-next-six-months-1>). Indeed it would be cultural and diplomatically advantageous for establishing this bilateral MOU so that Uzbekistan cultural objects might also travel to U.S. museums for international exhibitions.

I wish to strongly endorse all efforts for the US State Department to establish a bilateral agreement with the nation of Uzbekistan regarding the protection of cultural objects, antiquities, and preservation of archaeological sites and monuments on the territory of Uzbekistan.

Respectfully submitted,

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References Cited:

Klejn, Leo S. 2012. Soviet Archaeology: Trends, Schools, and History (translated from the Russian by Rosh Ireland and Kevin Windle). Oxford: Oxford University Press.

Pannier, Bruce. 2020. Uzbek Archaeological Sites Being Destroyed by Modern Construction. November 19, 2020 08:52 GMT. <https://www.rferl.org/a/uzbek-archaeological-sites-destroyed-by-modern-construction/30958186.html>

The draft law "On amendments to the Criminal and Criminal Procedure Codes in connection with the strengthening of measures to combat the illicit circulation of cultural property"
<https://otpusk.uz/ru/article/import-export-of-cultural-property>

https://www.norma.uz/novoe_v_zakonodatelstve/za_nevypolnenie_predpisaniy_agentstva_kulturnogo_naslediya_nalojat_shtraf

The Procedure for the import and export of cultural property of the Republic of Uzbekistan.
<https://otpusk.uz/ru/article/import-export-of-cultural-property> Downloaded from the internet on January 23, 2023.

Two exhibitions from Uzbekistan will become the main museum attraction of Paris for the next six months. <https://www.un.int/uzbekistan/news/two-exhibitions-uzbekistan-will-become-main-museum-attraction-paris-next-six-months-1> Downloaded from the internet on January 23, 2023.

Unique cultural values illegally exported from the Republic of Uzbekistan are returned (April 2016). <https://customs.uz/ru/news/view/6357> Downloaded from the internet on January 16, 2023.

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<https://uz.usembassy.gov/representatives-of-the-u-s-department-of-states-cultural-heritage-center-visit-uzbekistan-to-develop-bilateral-agreement/> Downloaded from the Internet January 23, 2023.

Uzbekistan: \$355m in artifacts stolen over three decades. April 27, 2002.
<https://eurasianet.org/uzbekistan-355m-in-artifacts-stolen-over-three-decades> Downloaded from the internet on January 23, 2023.

Fines will be imposed for non-compliance with the instructions of the cultural heritage agency. February 15, 2022. Law has been published in Narodyna Slovo and entered into force on its day of official publication on February 13, 2022.
https://www.norma.uz/uz/qonunchilikda_yangi_meros_agentligining_kursatmalarini_bajarmaganlik_uchun_jarima_solinadi Downloaded from the internet on January 23, 2022

World Data Information (Geography and Population Statistics (downloaded on 1/19/23 from internet): <https://www.worlddata.info/asia/uzbekistan/index.php>

Appendix 1: Information provided by Dima Voyakin, Director of the International Institute for the Study of Central Asia (January 15, 2023).

By the beginning of 2021, the sites of material and cultural heritage in the Republic of Uzbekistan registered to 8208 units. There are 2264 monuments of architecture in total, and the largest number of them can be found in the Samarkand region - 562 objects.

The number of monuments of architecture in the context of regions:

- Tashkent - 288 units;
- Tashkent province - 7 units;
- Karakalpakstan: 24;
- Samarkand province: 562;
- Bukhara oblast - 507 units;
- Kashkadarya province - 208 units;
- Ferghana oblast - 139 units; Khorezm oblast - 136 units;
- Khorezm Province - 136 units;
- Jizzak oblast - 100 units;
- Namangan province - 98 units;
- Andijan oblast - 74 units;
- Navoi oblast - 70 units;
- Surkhandarya region - 36 units;
- Syrdarya region - 15 units.