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UNITED NATIONS EDUCATIONAL,  
SCIENTIFIC AND CULTURAL ORGANIZATION

INTERGOVERNMENTAL COMMITTEE FOR PROMOTING THE RETURN OF CULTURAL  
PROPERTY TO ITS COUNTRIES OF ORIGIN OR ITS RESTITUTION  
IN CASE OF ILLICIT APPROPRIATION

Fourth Session

(Athens and Delphi, Greece, 2-5 April 1985)

Report by the Unesco Secretariat on measures taken to implement the  
recommendations of the third session of the Intergovernmental Committee  
for Promoting the Return of Cultural Property to its Countries of  
Origin or its Restitution in Case of Illicit Appropriation (9-12 May 1983)

1. The present document outlines measures taken by the Secretariat of Unesco, with the co-operation of the authorities concerned in various Member States, the International Council of Museums and interested specialists, to implement the recommendations of the third session of the Intergovernmental Committee. It should be understood, of course, that the recommendations of the third session were themselves based on the progress achieved in a continuous process, initiated at the Committee's first session in 1980. Members of the Committee are now invited to express their opinion both on the activities carried out to date and on further work that should be undertaken by the Secretariat. The information provided may also be useful to the Committee in considering the directions that its own action may now take, within the framework of its Statutes and the methodological guidelines it defined at its first, second and third sessions.

I. PROMOTION OF BILATERAL NEGOCIATIONS FOR RETURN OR RESTITUTION OF CULTURAL PROPERTY

2. Since the Committee's third session, two requests for the return of cultural property have been received by the Secretariat and communicated to the authorities of the countries in which this property is held. Copies of the two requests were also communicated to all the States Members of the Committee and to the International Council of Museums.

3. On 11 October 1983, the Minister of Education of Jordan submitted to the Intergovernmental Committee a request for the return of the "Sandstone Panel of Tyche with the Zodiac" held by the Cincinnati Art Museum, Cincinnati, Ohio, United States of America (Annex 1). The object requested was in fact the upper part of a Nabatean sand-stone relief, of which the lower part is in the Archaeological Museum of Amman. This request was forwarded on 28 November 1983 to the Permanent Delegate of the United States of America. No official response to the request was received by the Secretariat within the stipulated period of one year from the date of receipt. In the meantime, however, in accordance with the professional role the International Council of Museums has always played with respect to this issue, the Secretary-General of ICOM wrote to the Director of the Cincinnati Art Museum in informal terms so as to ascertain the museum's position on this request. He recalled the scientific and museological principle of reuniting dismembered works of art, cited several examples of successful co-operation to this effect between American museums and institutions in France and Syria, and offered the good offices of ICOM for this purpose. In a reply to the Secretary-General of ICOM dated 7 November 1984 the Director of the Cincinnati Art Museum stated that the request had been discussed "thoroughly some years ago" and quoted the following terms of a letter he sent to Dr. Adnan Hadidi, Director-General of Antiquities of Jordan, on 2 May 1980: "The Museum's Board of Trustees met on 23 October 1979, and did not consent to your request, declining to reunite the sculpture in Amman. While we understand your interest in reuniting these sculptures, our Museum feels that the Zodiac Tyche is an important part of our Nabatean Collection and an essential element in its display".

4. On 24 September 1984, the Secretariat received a request submitted by the Minister of Culture of Greece for the return of the collection of marble sculptures, reliefs and architectural pieces from the Acropolis of Athens known as the "Elgin Marbles" and held by the British Museum, London. The Assistant Director-General for Culture forwarded this request on 19 October 1984 to the Secretary of the United Kingdom National Commission for Unesco. In accordance with the procedure laid down by the Committee, copies of the request were also sent to the States Members of the Committee and to ICOM. The period of one year within which the holding country is expected to respond officially to this request will therefore elapse only in October 1985. Additional copies of the request may be made available upon request during the Committee's fourth session.

5. The Secretariat has prepared a revised draft of a set of Guidelines concerning the formulation of requests for the return and restitution of cultural property. At its second session in 1981, the Intergovernmental Committee devised a standard form as the basic instrument for the formulation and processing of such requests. The Committee noted that some of the principles and procedures which it had defined might not be familiar to all museum curators and concerned officials in Unesco's Member States. It was recommended, therefore, that a handbook "be prepared by Unesco, with the help of the International Council of Museums (ICOM), so as to assist Member States". A first draft of such a handbook was prepared by ICOM, under contract with Unesco, and submitted to the Intergovernmental Committee at its third session (1983). As representatives of Member States present at that session will recall, discussion of the booklet showed that although the document went a fair way towards serving the purpose set out for it, considerable further refinement would be necessary. With limited time at its disposal, the Committee was unable to do full justice to the task but nevertheless gave a number of precise indications to the Secretariat. It also requested, however, that the National Committees of ICOM, the States Members of the Intergovernmental Committee as well as States participating as observers all be given more time for a more detailed consideration of the draft. On the basis of the various comments received Unesco was asked to prepare a revised version.
  
6. Although the Intergovernmental Committee recommended that the revision should be produced and distributed as soon as possible, the nature of the comments sent to ICOM and Unesco in 1983-84 indicates that some difficulties still remain with regard to the formulation of an orientation document of this type. Comments were made by the following Member States: Australia, Federal Republic of Germany, The Netherlands, Switzerland, Syrian Arab Republic, United Kingdom. The Secretariat of ICOM received comments from National Committees of ICOM in Denmark and the United Kingdom.
  
7. Having regard to the progress achieved by the Committee in securing an ever-wider acceptance of the principle of return or restitution of cultural property, the reactions of certain "holding" countries raise the question of whether the earlier draft version of the guidelines might not have contained certain elements that, regardless of the best intentions of those who formulated them, were liable to have a regressive effect. The guidelines' purpose, however, is to contribute to establishing optimum conditions for the advancement of the Committee's essential function, that of facilitating bilateral negotiations for the return or restitution of cultural property to its countries of origin. Hence a revised version is submitted to the Intergovernmental Committee at its fourth session in draft form. It bears the reference CLT-85/202/3.

## II. INTERNATIONAL TECHNICAL CO-OPERATION (Preparation of inventories)

8. The inventory of African cultural property outside Africa, entrusted to ICOM in 1981, has progressed to the completion of 20,000 entries (16,000 photographs and 4,000 descriptive texts). The microfiches containing these entries have also been filed by ethnic groups according to the Murdock classification. The next stage to be undertaken, a complete inventory of all material available in auction catalogues, will be launched in early 1985 with the support of Unesco. The observer from ICOM will no doubt provide the Committee with further information on the subject.
  
9. With respect to Oceania, practical difficulties prevented the completion in 1983 of the second phase of the inventory of cultural property from Oceania found in the museums of Australia. The work, co-ordinated by Dr. Jim Specht and Ms. Lissant Bolton of the Australian Museum, Sydney, under contract with Unesco, has now been terminated, however, and copies of the three printed volumes of this survey will be made available to members of the Intergovernmental Committee. Ms. Lissant Bolton's observations on the project and some of its methodological implications were published as an article in the Unesco quarterly Museum (N° 141, 1984); this article has been reproduced in document CLT-85/CONF.202/INF.5.
  
10. A preliminary survey of Pacific Island and Australian Aboriginal Artefacts in Public Collections in the United States and Canada has also been completed by Dr. Adrienne Kaeppler and Ms. Amy Ku'uleialoha Stillman of the Smithsonian Institutions. Copies of this preliminary survey will also be made available to the members of the Committee.
  
11. In France, Dr. Jean Guiart, Director of the Laboratoire d'ethnologie, Musée de l'Homme, has begun the preparation, also under contract with Unesco, of an inventory of material from the Pacific held in the provincial museums of France.
  
12. It is interesting to note that the Pacific region has achieved the most thorough documentation of its dispersed cultural heritage held in other regions. This appears to be due both to an acute awareness of the total depletion of the material culture of the Pacific Islands and to the efforts of a small group of dedicated museum professionals -specialists in Oceanic cultures- in a number of industrialized countries. These efforts have been spearheaded by Mr. Peter Gathercole, former Director of the Cambridge University Museum of Archaeology and Anthropology and now Dean of Darwin College, Cambridge (see his plea "The need for ethnographic inventories" reproduced in document CLT-85/CONF.202/INF.5)

Mr. Gathercole was a co-author of the Survey of Oceanic Collections in Museums in the United Kingdom and the Irish Republic, prepared for Unesco in 1980. He is now Co-ordinator of a Working Party on ethnographic inventories in ICOM's International Committee on Museums of Ethnography. In this capacity and at the request of the Secretariat, he has launched a process of evaluation and reflection on the methods employed in preparing and producing inventories of museum collections in different countries and areas. It is expected that essays by Ms. Bolton and Mr. Gathercole will be available for the Committee's fourth session and will be submitted under cover of document CLT-85/CONF.202/5.

### III. STEPS TO CURB ILLICIT TRAFFIC IN CULTURAL PROPERTY

13. Since the third session of the Committee, three States, namely the Democratic People's Republic of Korea, Senegal and the United States of America have deposited their instrument of ratification or acceptance of the Convention, bringing to 54 the total number of States Parties. In addition, the Secretariat has been informed that the process leading to ratification in Australia, France and the Netherlands is well advanced.

14. At its twenty-second session (October-November 1983), the General Conference endorsed the proposals formulated by the Committee on Conventions and Recommendations of the Executive Board for strengthening international co-operation in the struggle against illicit traffic in cultural property. These proposals, which were brought to the attention of the Committee at its last session, had been prepared on the basis of recommendations drawn up by a group of experts convened by Unesco in March 1983. Resolution 22 C/11.4 adopted by the General Conference, which incorporates these proposals, was transmitted by circular letter to all Member States; the text of this resolution is given in Annex 2.

15. In pursuance of operative paragraph of this resolution, all intergovernmental organizations with which Unesco has relations have been invited to draw the attention of those members of their staff who benefit from diplomatic immunities to the need to respect national laws governing the export of cultural property. The attention of all Unesco staff members, employed at Headquarters as well as in the field, has also been drawn to their duty in this respect. In addition, with reference to operative paragraph 5 of the resolution, financial assistance has been made available to enable the International Council of Museums (ICOM) to pursue its efforts towards a wider application of ethical standards concerning the provision of services of authentication and evaluation of cultural property by museum authorities; the Director-General proposes to provide further assistance to ICOM for the pursuit of this activity.

16. Other activities relating to the implementation of the 1970

Convention are being undertaken in accordance with the terms of the Regular Programme of the Organization for 1984-85. A study is being carried out for Unesco by the International Institute for the Unification of Private Law (Unidroit) on the rules of private international law affecting the transfer of title to cultural property. The first results of this work during which the concept of good faith and its relationship to the acquisition of cultural property will, in particular, be examined, should be available by the end of the summer of 1985. Furthermore, the collection, translation and publication of national laws governing the protection of movable cultural property is being pursued. The English editions of Volumes I and II of a compendium of national laws containing extracts from the legislation in force in 45 countries appeared in 1984 (these volumes appeared in French in 1979 and 1981 respectively). It is proposed to continue the publication of legislative texts for the use of all those who need to have access to information on the legal status of cultural property, including museum curators, art dealers and collectors, customs and police services, but in a different form, namely in a series of booklets each presenting the full texts of the laws and regulations of one particular country. These booklets, to be published in English and French as well as in the original language when it is one of the working languages of the Organization, would be distributed free of charge to all Member States.

17. At its third session, in 1983, the Committee addressed a number of recommendations to the Director-General as to action that could be taken by the Organization to help stem illicit traffic in cultural property. Among these was a recommendation to prepare "an information note on the solutions actually adopted or technically feasible so as to overcome various problems encountered concerning the implementation of the Convention". The problems relating to some provisions of the Convention which, as indicated by certain Member States, make it difficult for them to ratify it were discussed at the consultation of experts referred to in paragraph 2 above. The report on the meeting provides information given by the experts on the interpretation and implementation by certain governments of those same provisions of the Convention. The relevant part of the report is reproduced in document 22 C/93 entitled: "Proposals for the implementation of the Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property" and is preceded by a summary of the difficulties to which Member States have referred. If there are other Member States which experience difficulties with provisions of the Convention not covered in document 22 C/93, the Director-General will endeavour to provide information on the ways in which States Parties have surmounted these difficulties.

18. As regards the recommendation of the Committee concerning the preparation of "an internationally acceptable statement of ethical principles in regard to acquisitions both by public institutions and private persons dealing in or collecting cultural property", the Director-General is proposing to the General Conference to include provision in the Regular Programme for 1986-1987 for the collection of national laws and regulations and codes of practice relating to trade in cultural property. On the basis of an analysis of these texts, the Director-General will be able to explore the feasibility of drawing up a set of ethical principles that will be generally acceptable.

19. At the Committee's third session, the observer from INTERPOL described the work of his organization in relation to Unesco's efforts to combat illicit traffic and indicated that a detailed report on the subject would be submitted to the fourth session. This report will be made available under cover of document CLT-85/CONF.202/4.

#### IV. PUBLIC INFORMATION

20. The Secretariat has continued to inform journalists and facilitate their contacts with museum professionals and heritage authorities concerned with questions of return and restitution of cultural property. This has contributed to the publication of feature articles in major newspapers and periodicals in Europe and North America as well as in other regions. A complete file of articles that have appeared since the third session of the Committee and made available to the Secretariat has been compiled as document CLT-85/CONF.202/INF.4.

21. Unesco's professional quarterly Museum has continued its regular rubric on the subject of return or restitution of cultural property, presenting to its specialist readership both reflexion by concerned colleagues and reports on cases of return or restitution. These articles are reproduced in CLT-85/CONF.202/INF.5. As can be seen, collaboration was also initiated in 1984 with Stolen Art Alert, a bulletin on stolen art published by the International Foundation for Art Research, New York. Selected articles and digests of lists of stolen objects published by Stolen Art Alert are being reproduced in Museum. This initiative responds to the observations made by Ms. Bonnie Burnham, Executive Director of the International Foundation for Art Research:

"We have had relatively little success in establishing contact with official cultural property agencies and ministries. I believe that these official bodies would respond much more regularly and positively to our efforts if they were directed

through an official international agency, such as Unesco. Not only is there a need for official liaison on the level of psychological acceptance or approval, but from a physical point of view it is very difficult for us to stay in contact with foreign museums and ministries. Most Third World countries, and even many European museums, lack the funds to subscribe to our periodical; we, on the other hand, find mailing costs to be prohibitive, and cannot sustain many exchanges or complementary subscriptions. Therefore, the direct international communication that is of paramount importance to us is difficult to maintain, and many of the people who could make the best use of our periodical abroad are unable to receive it".

22. The subject of illicit traffic was discussed at a conference for journalists organized at Washington, D.C. in April 1984 by Unesco, the Smithsonian Institution, the United States National Committee for ICOMOS (International Council on Monuments and Sites) and the U.S. National Trust for Historic Preservation. Devoted to the theme "The Challenge to our Cultural Heritage: Why Preserve the Past", the conference dealt mainly with immovable cultural heritage. The final panel of the conference, however, was devoted to "A Threat to National Art Treasures: The Illicit Traffic in Stolen Art". Moderated by Mr. Ian Christie Clark, Canadian Permanent Delegate to Unesco, member of the Executive Board and former Secretary-General of the National Museums of Canada, the panel included presentations by Mr. Ekpo Eyo, Director of the Department of Antiquities, Nigeria, Mr. Luis Monreal, Secretary-General of ICOM and Ms. Julia Cave, BBC producer, who showed one film called The Hot Pot extracted from her television series entitled "The Plunderers". One of the liveliest panels in the conference, this discussion figured prominently in several newspaper reports on the event.

#### V. CONSIDERATION OF THE COMMITTEE'S WORK BY UNESCO'S GENERAL CONFERENCE AND THE UNITED NATIONS GENERAL ASSEMBLY

23. Since the Committee is required by its Statutes (Article 4, para.8) to report on its activities at each ordinary session of the General Conference, the Director-General submitted such a report to the twenty-second session (October-November 1983) under cover of document 22 C/88. This report summarized the proceedings and presented the recommendations of the Committee's second and third sessions. After examining the Committee's report the Conference adopted resolution 11.9. Part II of this resolution is the list of the ten Member States elected to the Committee in accordance with Article 2 of its Statutes. Part I of the resolution reads as follows:



"The General Conference

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*Having noted* the report of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation (22 C/88),

1. *Welcomes* the interest which the work of the Committee has aroused among Member States, many of which participated in the second and third sessions either as members of the Committee or as observers;
  2. *Also welcomes* the progress made by the Committee towards achieving the objectives it set itself since its establishment by the General Conference at its twentieth session, and particularly the responsiveness and clear resolve shown by Member States to pursue discussions and negotiations within the framework of the Statutes of the Committee;
  3. *Expresses the hope* that the dialogue which has already begun between all parties concerned, particularly museum specialists, will continue and develop in the same climate of confidence and respect for the cultural heritage of each people;
  4. *Endorses* the recommendations made by the Committee at its second and third sessions;
  5. *Notes with satisfaction* the measures taken by the Director-General to implement these recommendations within the framework of the activities for the development of museums and improvement of infrastructures for the preservation of movable cultural property;
  6. *Invites* the Member States concerned to co-operate among themselves and with the Committee so as to ensure that bilateral negotiations for the return or restitution of cultural property to its countries of origin may take place under the best possible conditions".
24. Under cover of document A/38/456, dated 31 October 1983, the Secretary General of the United Nations submitted to the thirty-eight session of the General Assembly a report prepared by the Director-General of Unesco on the work of the Intergovernmental Committee. Since its twenty-eighth session in 1973, when the question of restitution of cultural property was first debated, the General Assembly has been kept informed by the Director-General of the progress achieved in this domain; a report is now regularly submitted to every alternate session of the General Assembly. The thirty-eighth session adopted resolution A/38/L.29/Rev.1 on the subject, the text of which is given below:

"The General Assembly,

Recalling its resolution 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973, 3187 (XXVIII) of 18 December 1973, 3391 (XXX) of 19 November 1975, 31/40 of 30 November 1976, 32/13 of 11 November 1977, 33/50 of 14 December 1978, 34/64 of 29 November 1979, 35/127 and 25/128 of 11 December 1980 and 36/34 of 27 November 1981,

Recalling also the Convention of the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1/ adopted on 14 November 1970 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

Taking note with satisfaction of the report submitted by the Secretary-General in co-operation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, 2/

Aware of the importance, to the countries of origin, of the return of cultural property which is of fundamental spiritual and cultural value to them, so that they may constitute collections representative of their cultural heritage,

Noting with satisfaction that some countries have taken positive steps for the return or restitution of museum pieces, archives and objets d'art to their countries of origin,

Reaffirming the importance of inventories as an essential tool for the understanding and protection of cultural property and for the identification of dispersed heritage and as a contribution to the advancement of scientific and artistic knowledge and intercultural communication,

Deeply concerned by clandestine excavations and illicit traffic in cultural property, which continue to impoverish the cultural heritage of all peoples,

Supporting the stolen appeal by the Director-General of the United Nations Educational, Scientific and Cultural Organization on 7 June 1978 for the return of an irreplaceable cultural heritage to those who created it,

1. Commends the United Nations Educational, Scientific and Cultural Organization and the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation on

the work they have accomplished, in particular through the promotion of bilateral negotiations, for the return or restitution of cultural property, the preparation of inventories of movable cultural property, the development of infrastructures for the protection of movable cultural property, the development of infrastructures for the protection of movable cultural property, the reduction of illicit traffic in cultural property and the information of the public;

2. Reaffirms that the restitution to a country of its objets d'art, monuments, museum pieces, archives, manuscripts, documents and any other cultural or artistic treasures contributes to the strengthening of international co-operation and to the preservation and flowering of universal cultural values through fruitful co-operation between developed and developing countries;

3. Invites Member States to draw up, in co-operation with the United Nations Educational, Scientific and Cultural Organization, systematic inventories of cultural property existing in their territory and of their cultural property abroad;

4. Also invites Member States engaged in seeking the recovery of cultural and artistic treasures from the sea-bed, in accordance with international law, to facilitate by mutually acceptable conditions the participation of States having a historical and cultural link with those treasures;

5. Appeals to Member States to co-operate closely with the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation and to conclude bilateral agreements for this purpose;

6. Also appeals to Member States to encourage the mass information media and educational and cultural institutions to work for greater and more general conscientiousness with regard to the return or restitution of cultural property to the countries of origin;

7. Takes note with satisfaction of the importance accorded by the World Conference on Cultural Policies, held at Mexico City from 26 July to 6 August 1982, to the question of the return or restitution of cultural properties in the course of the debates on cultural policies;

8. Endorses the opinion expressed at the World Conference on Cultural Policies that "the return of cultural property to its country of origin should be accompanied by the training of key personnel and technicians and the provision of the necessary facilities for the satisfactory conservation and presentation of the property restored"; 3/

9. Invites once again those Member States which have not yet done so to sign and ratify the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;

10. Requests the Secretary-General, in co-operation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to submit to the General Assembly at its fortieth session a report on the implementation of the present resolution;

11. Decides to include in the provisional agenda of its fortieth session the item entitled "Return or restitution of cultural property to the countries of origin".

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**Intergovernmental Committee for Promoting the Return  
of Cultural Property to its Countries of Origin  
or its Restitution in Case of Illicit Appropriation**

**Comité intergouvernemental pour la promotion du retour  
de biens culturels à leur pays d'origine  
ou de leur restitution en cas d'appropriation illégale**

**Comité Intergubernamental para Fomentar el Retorno  
de los Bienes Culturales a sus Países de Origen  
o su Restitución en Caso de Apropiación Ilícita**

**Standard form concerning requests  
for return or restitution**

**Formulaire type pour les demandes  
de retour ou de restitution**

**Impreso relativo a las solicitudes  
de retorno o de restitución**

## USE OF THIS STANDARD FORM

The present form has been established by the Intergovernmental Committee in order to facilitate bilateral negotiations concerning the return or restitution of cultural property. It is intended to provide a means of recording information relating to objects whose return may be requested and is designed therefore to contain the data and observations supplied by the competent authorities in both the requesting country and the country in which they are now held.

A draft form was prepared by the Unesco Secretariat and the International Council of Museums (ICOM) in implementation of a recommendation of the Intergovernmental Committee's first session (5-9 May 1980) and circulated to all Member States and Associate Members of Unesco. In the light of comments received from the latter a revised draft form was submitted to the International Committee at its second session (14-18 September 1981). The Committee amended this revised draft and entrusted its Rapporteur with the task of establishing the present definitive version on the basis of its directives. This final version has been approved by the Chairman together with the Committee's Final Report. The Report stresses that the version adopted would be a model whose efficacy would have to be tested.

Notes to assist in completing each page of the form are provided opposite the page to be completed. Please type entries in the space available. If necessary, *additional information may be provided on separate sheets attached to the form.*

It should be noted that the Intergovernmental Committee will retain all supporting documentation (publications, photographs, drawings, etc.) The form completed in English, French or Spanish should be sent in three copies to:

The Secretariat  
Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin  
or its Restitution in Case of Illicit Appropriation  
Division of Cultural Heritage  
Unesco  
7, place de Fontenoy  
75700 - Paris (France)

## UTILISATION DE CE FORMULAIRE TYPE

Le présent formulaire a été établi par le Comité intergouvernemental afin de faciliter les négociations bilatérales concernant le retour ou la restitution de biens culturels. Il a pour objet de permettre de recueillir des renseignements relatifs aux objets dont le retour peut être demandé, et il est donc conçu pour qu'y figurent les données et les observations communiquées par les autorités compétentes du pays demandeur comme du pays où les objets sont actuellement détenus.

Un projet de formulaire a été préparé par le Secrétariat de l'Unesco et le Conseil international des musées (ICOM) en application d'une recommandation formulée par le Comité intergouvernemental à sa première session (5-9 mai 1980) et distribué à tous les Etats membres et Membres associés de l'Unesco. A la lumière des observations reçues de ces derniers, un projet de formulaire révisé a été mis au point et soumis au Comité intergouvernemental à sa deuxième session (14-18 septembre 1981). Le Comité a amendé ce projet révisé et a chargé son rapporteur d'établir la présente version définitive sur la base de ses directives. Cette version finale a été approuvée par le Président en même temps que le rapport final du Comité. Le rapport souligne que la version retenue sera un modèle dont l'efficacité devra être mise à l'épreuve.

Les notes destinées à aider les pays à remplir chaque page du formulaire figurent en face de la page concernée. Veuillez dactylographier les réponses dans l'espace prévu à cet effet. Le cas échéant, *d'autres informations peuvent être fournies sur les feuilles séparées jointes au formulaire.* Il convient de noter que le Comité conservera toute documentation complémentaire (publications, photographies, dessins, etc.).

Le formulaire, rempli en anglais, français ou espagnol, devra être envoyé en trois exemplaires à l'adresse suivante :

Secrétariat  
Comité intergouvernemental pour la promotion du retour de biens culturels à leur pays d'origine  
ou de leur restitution en cas d'appropriation illégale  
Unesco  
7, place de Fontenoy  
75700 - Paris (France)

## UTILIZACION DE ESTE FORMULARIO

El presente impreso ha sido establecido por el Comité Intergubernamental para facilitar las negociaciones bilaterales relativas al retorno o restitución de los bienes culturales. Su finalidad es proporcionar un medio de registrar la información relativa a los objetos cuyo retorno puede solicitarse y se destina, por lo tanto, a contener los datos y las observaciones suministrados por las autoridades competentes tanto en el país solicitante como en el país requerido.

La Secretaría de la Unesco y el Consejo Internacional de Museos (ICOM) prepararon un proyecto de impreso en aplicación de una recomendación de la primera reunión del Comité Intergubernamental (5-9 de mayo de 1980) y este impreso se envió a todos los Estados Miembros y a los Miembros Asociados de la Unesco. Teniendo en cuenta las observaciones de estos últimos, se presentó un proyecto revisado de impreso al Comité Intergubernamental en su segunda reunión (14-18 de septiembre de 1981). El Comité enmendó este impreso revisado y confió a su Relator la tarea de establecer la presente versión definitiva sobre la base de sus directrices. Esta versión final ha sido aprobada por el Presidente junto con el Informe Final del Comité. El Informe subraya que la versión aprobada constituye un modelo cuya eficacia debería verificarse.

Junto a cada una de las páginas del impreso hay una serie de notas que ayudarán a rellenarlo. Sírvase transcribir a máquina las respuestas en el espacio disponible. Si fuera necesario, *pueden suministrarse informaciones adicionales en hojas sueltas adjuntas al impreso.*

El Comité Intergubernamental conservará toda la documentación de apoyo (publicaciones, fotografías, dibujos, etc.) El formulario, rellenado en inglés, francés o español, deberá enviarse por triplicado a:

La Secretaría  
Comité Intergubernamental para Fomentar el Retorno de los Bienes Culturales a sus Países de Origen  
o su Restitución en Caso de Apropiación Ilícita  
División del Patrimonio Cultural  
Unesco  
7, place de Fontenoy  
75700 - París (Francia)

## NOTES ON COMPLETING THE FORM

### General

1. The present form has been established by the Intergovernmental Committee as a mechanism to enable it to promote bilateral negotiations concerning the return or restitution of cultural property. The form is to be used therefore *only in cases where negotiations already initiated have made unsatisfactory progress*. The requesting country should use the form to submit its request to the Secretariat of the Committee which will transmit the document to the holding country concerned. At its first session, the Intergovernmental Committee decided that such requests should also be brought to the attention of Member States, not directly involved in the negotiation. The holding country should in turn use the form to provide its reply to the request and return it to the Secretariat of the Committee within a period of one year from the date of receipt.
2. Please note that the use of the form is limited to one object per form. It is not practicable to deal with information on more than one distinct object at a time. In the case of a request for an entire collection of objects it is understood that the collection, for the purposes of the present form, would be treated as an entity i.e. 'an object'.
3. The preceding remark illustrates the fact that this form is intended to a comprehensive yet flexible framework, which allows Member States to provide information as completely as possible according to varying circumstances. Hence Member States may well leave certain spaces blank if the necessary information is not available to them.

## INDICATIONS POUR REPLIR LE FORMULAIRE

### Généralités

1. Le présent formulaire a été établi par le Comité Intergouvernemental pour lui permettre de promouvoir les négociations bilatérales concernant le retour ou la restitution de biens culturels. Il ne doit donc être utilisé *que dans les cas où les négociations déjà engagées ne progressent pas de manière satisfaisante*. Le pays demandeur doit utiliser le formulaire pour adresser sa demande au Secrétariat du Comité qui transmettra le document au pays détenteur concerné. A sa première session, le Comité intergouvernemental a décidé que ces demandes devaient également être portées à l'attention des Etats membres qui ne sont pas directement parties à la négociation. Le pays détenteur doit utiliser le formulaire pour répondre à la demande et le renvoyer au Secrétariat dans un délai d'un an à compter de la date de réception.
2. Veuillez noter que chaque formulaire ne peut servir que pour un seul objet. Il n'est guère possible sur le plan pratique de traiter des informations concernant plus d'un objet distinct à la fois. En cas de demande relative à une collection entière d'objets, il est entendu qu'aux fins du présent formulaire, la collection sera considérée comme une entité, c'est-à-dire comme "un objet".
3. La remarque précédente illustre le fait que le formulaire entend être un cadre global mais souple, qui permet aux Etats membres de fournir des renseignements aussi complets que possible en fonction de la diversité des situations. En conséquence, les Etats membres peuvent ne pas répondre à certaines questions s'ils ne disposent pas des renseignements nécessaires.

## NOTAS SOBRE EL MODO DE RELLENAR EL IMPRESO

### Generalidades

1. El presente impreso ha sido establecido por el Comité Intergubernamental para que sirva de mecanismo que facilite las negociaciones bilaterales relativas al retorno o restitución de los bienes culturales. Por lo tanto, debe utilizarse *únicamente en casos en que las negociaciones ya iniciadas no hubieran progresado satisfactoriamente*. El país solicitante habrá de utilizar el impreso para presentar su solicitud a la Secretaría del Comité, que transmitirá el documento al país requerido de que se trate. En su primera reunión, el Comité Intergubernamental decidió que estas solicitudes se pusieran también en conocimiento de los Estados Miembros no directamente involucrados en la negociación. El país requerido debería, a su vez, utilizar el impreso para formular su respuesta a la solicitud, y devolverlo a la Secretaría del Comité en el plazo de un año a partir de la fecha de recepción.
2. Téngase en cuenta que la utilización de cada impreso se limita a un solo objeto. No es practicable tratar al mismo tiempo las informaciones relativas a más de un objeto. En el caso de que la solicitud se refiera a una colección entera de objetos, se da por sentado que, a los efectos del presente impreso, la colección habrá de ser considerada como una sola entidad, es decir como "un objeto".
3. Como puede deducirse de la observación anterior, con este impreso se pretende ofrecer una estructura general y a la par flexible que permita a los Estados Miembros suministrar informaciones del modo más completo posible según las circunstancias. Por esta razón, los Estados Miembros pueden dejar en blancos algunos espacios si no disponen de la información necesaria.

Name of the requesting country

Nom du pays demandeur

Nombre del país solicitante

The Hashemite Kingdom of Jordan

Name of the requesting institution or service

Nom de l'institution ou du service demandeur

Nombre de la institución o servicio solicitantes

The Department of Antiquities

Amman - Jordan

# A

## BACKGROUND DATA ON THE OBJECT RENSEIGNEMENTS CONCERNANT L'OBJET DATOS RELATIVOS AL OBJETO

- A. 1 Description of the object**  
Information should be provided if possible with respect to:
- (a) Type of object: painting, sculpture, manuscript, ceramics, textiles, archaeological finds, buildings or monuments, etc.
  - (b) Characteristics: material of which made (wood, stone, metal, parchment, etc.), dimensions, weight, form, period, authorship (if applicable, special distinctive features).

Requesting country/Pays demandeur/País solicitante

- A. 1 Description de l'objet**  
Dans la mesure du possible on donne des renseignements sur :
- a) Le type d'objet : peinture, sculpture, manuscrit, céramique, textile, objets de fouilles, constructions, éléments de constructions ou de monuments, etc.
  - b) Ses caractéristiques : matériaux (bois, pierre, métal, parchemin, etc.), dimensions, poids, forme, période, auteur (s'il y a lieu) caractères distinctifs particuliers.

Holding country/Pays détenteur/País requerido

- A. 1 Descripción del objeto**  
Si fuera posible, deberían suministrarse informaciones sobre:
- a) El tipo de objeto: pintura, escultura, manuscrito, cerámica, textiles, hallazgos arqueológicos, edificios, partes de edificios o monumentos, etc.
  - b) Las características: material de que está hecho (madera, piedra, metal, pergamino, etc.), dimensiones, peso, forma, época, autoría (en su caso, rasgos distintivos específicos).

See attached supplement for a detailed description (see Annex I - Appendix page 1)

- A. 2 State of conservation**  
Here details may be given concerning the decay of constituent materials, deterioration noted, intentional or accidental mutilations, if any, restoration carried out.

Requesting country/Pays demandeur/País solicitante

Excellent

- A. 2 Etat de conservation**  
On pourra donner ici des renseignements sur l'altération des matériaux, les détériorations constatées, les dégradations intentionnelles ou accidentelles et, le cas échéant, les restaurations effectuées.

Holding country/Pays détenteur/País requerido

- A. 2 Estado de conservación**  
Pueden darse detalles acerca del estado de descomposición de los materiales constituyentes, al deterioro observado, las mutilaciones intencionales o accidentales, si existen, y las restauraciones que se han llevado a cabo.



**A. 3 References and documentation**

Bibliographic or other references concerning the object should be provided. Other documentation such as labels, catalogue cards, information about the archaeological site from which the object originated, etc. should also be included wherever possible. Such material may be attached to the present form.

Requesting country/Pays demandeur/País solicitante

**A. 3 Références et documentation**

Les références bibliographiques ou autres concernant l'objet devront être fournies. Tous les autres éléments de documentation tels qu'étiquettes, fiches de catalogue, renseignements sur le site archéologique dont provient l'objet, etc., devront aussi être produits chaque fois que cela sera possible. Ces documents pourront être joints au présent formulaire.

Holding country/Pays détenteur/País requerido

**A. 3 Referencias y documentación**

Se indicarán las referencias bibliográficas o de otro género relativas al objeto, y se incluirán, en lo posible, otros elementos como etiquetas, fichas de catálogo, informaciones acerca del lugar arqueológico donde se sitúa el origen del objeto, etc. Este material puede enviarse adjunto al presente impreso.

N. Glueck, BASOR, 67 (1937) p. 14, fig. 7

ID, BASOR, 126 (1952) p. 5-10,  
Fig. 1-2; ID, Deities and Dolphins,  
1965, Pl. 46-84, p. 415-435; 444-451.

**A. 4 Circumstances in which the object left country of origin**

Information should be provided if possible with respect to the means by which the object left its country of origin, e.g. trade, illicit appropriation, colonial or foreign occupation, exchange, gift, loan for repair and/or reproduction, temporary export licence for scientific purposes including conservation or exhibition.

Requesting country/Pays demandeur/País solicitante

**A. 4 Circonstances dans lesquelles l'objet a quitté son pays d'origine**

Des renseignements seront fournis, dans la mesure du possible, sur la façon dont l'objet a quitté son pays d'origine: transaction commerciale, appropriation illicite, occupation coloniale ou étrangère, échange, don, prêt pour réparation et/ou reproduction, autorisation temporaire d'exportation à des fins scientifiques (y compris conservation ou exposition).

Holding country/Pays détenteur/País requerido

**A. 4 Circunstancias en las que el objeto fue transferido de su país de origen**

Cuando sea posible, se proporcionará información sobre los medios por los cuales el objeto fue transferido de su país de origen: comercio, apropiación ilícita, ocupación extranjera o colonial, intercambio, regalo, préstamo por reparaciones y/o reproducción, licencia temporaria de exportación con fines científicos que comprenden la conservación o la exposición.

Illegally sold by an antiquity dealer

**A. 5 Present location**

The name and address of the public or private collection in which the object is held should be provided or, failing this, its presumed location according to the latest information available.

**Requesting country/Pays demandeur/País solicitante**

**A. 5 Lieu où se trouve actuellement l'objet**

Le nom et l'adresse de la collection publique ou privée dans laquelle l'objet est détenu ou, à défaut, son emplacement présumé d'après les informations les plus récentes, devront être indiqués.

**A. 5 Ubicación actual**

Se indicará el nombre y la dirección de la colección pública o privada en donde se conserva el objeto o, a falta de ello, su presunta ubicación según las últimas informaciones disponibles.

Cincinnati Art Museum, Ohio, 45202, U.S.A.

**A. 6 Particular significance for the requesting country**

This may be historical, cultural, religious or scientific in nature or a combination of several of these. The object may be a "missing link" in a given cultural tradition and/or in the country's national collections.

**Requesting country/Pays demandeur/País solicitante**

**A. 6 Signification particulière pour le pays demandeur**

Cette signification peut être de nature historique, culturelle, religieuse ou scientifique, ou encore associer plusieurs de ces éléments. L'objet peut être un "chaînon manquant" d'une tradition culturelle déterminée et/ou des collections nationales du pays demandeur.

**A. 6 Significación particular para el país solicitante**

Puede ser de índole histórica, cultural, religiosa o científica o reunir varias de estas características. El objeto puede constituir un "eslabón perdido" en determinada tradición cultural y/o en las colecciones nacionales del país.

The sculpture is a unique piece of Nabataean art, depicting special Nabataean calendar and beliefs. It cannot be appreciated and understood without the Nike sculpture in the Amman Museum which preserves two of the Zodiac constellation: pisces and Virgo (See Pl. IV). Thus for understanding the sculpture, the Tyche panel in the Cincinnati Art Museum must be exhibited with its other half in the Amman Archaeological Museum.

**A. 7 Significance of the object for the holding country**

**Holding country/Pays détenteur/País requerido**

**A. 7 Signification de l'objet pour le pays détenteur**

**A. 7 Significación del objeto para el país requerido**

A. 8 Details of similar objects known to exist in country of origin or elsewhere. Information may be provided concerning objects of the same period, provenance or type, or (where applicable) by the same author; objects whose significance is similar to that described under A. 6 above may also be mentioned.

A. 8 Renseignements sur les objets similaires dont l'existence dans le pays d'origine ou ailleurs est connue. Des renseignements sur les objets de la même période, de la même provenance ou du même type, ou encore (s'il y a lieu) du même auteur peuvent être fournis; les objets dont la signification est similaire à celle qui a été décrite à la rubrique A. 6 peuvent également être mentionnés.

A. 8 Detalles de objetos similares que, según se sabe, existen en el país de origen o en otros lugares. Puede darse información sobre los objetos de la misma época, procedencia o tipo, o (en su caso) del mismo autor; pueden igualmente mencionarse objetos cuya significación sea similar a la indicada en A. 6.

Requesting country/Pays demandeur/País solicitante

Holding country/Pays détenteur/País requerido

See attached supplement for a detailed description (see Annex I - Appendix page 1)

A. 9 Conservation requirements for the object. Information should be provided as to the environmental conditions required, possible conservation treatment indicated, etc.

A. 9 Conditions requises pour la conservation de l'objet. Des informations seront fournies en ce qui concerne l'environnement dont a besoin l'objet, le traitement éventuellement nécessaire pour assurer sa conservation, etc.

A. 9 Requisitos de conservación del objeto. Se proporcionará información acerca de las condiciones ambientales que se requieren, el tratamiento posible de conservación más indicado, etc.

Requesting country/Pays demandeur/País solicitante

Holding country/Pays détenteur/País requerido

No decision, until both parts are reunited and examined thoroughly.

## **B REFERENCES OF LEGISLATION AND REGULATION TO PREVENT ILICIT TRAFFIC IN CULTURAL PROPERTY**

### **RÉFÉRENCES CONCERNANT LES DISPOSITIONS LÉGISLATIVES ET RÉGLEMENTAIRES VISANT À EMPÊCHER LE TRAFIC ILICITE DE BIENS CULTURELS**

### **REFERENCIAS DE LEGISLACIÓN Y REGLAMENTO PARA IMPEDIR EL TRÁFICO ILÍCITO DE LOS BIENES CULTURALES**

Full references to the relevant articles of national legislation or regulation concerning illicit traffic should be provided, both with respect to export of cultural property and its import from other countries. The texts of such legislation or regulation may be attached to the present form if necessary.

Des références complètes aux dispositions pertinentes de la législation ou de la réglementation nationale concernant le trafic illicite devront être fournies, tant en ce qui concerne l'exportation de biens culturels que leur importation d'autres pays. Les textes législatifs et réglementaires en question pourront, s'il y a lieu, être joints au présent formulaire.

Se darán referencias completas de los artículos pertinentes de la legislación o del reglamento nacionales relativos al tráfico ilícito, tanto respecto a la exportación de los bienes culturales como a su importación de otros países. Los textos de esta legislación o reglamento pueden enviarse adjuntos al presente impreso si fuere necesario.

Requesting country/Pays demandeur/País solicitante

Holding country/Pays détenteur/País requerido

1. Jordan Antiquity law : Articles 5B, 21 and 23.
2. UNESCO'S 1978 report, 20th session, chapter II, p.7-8.

**C PRESENT STATUS OF THE OBJECT  
SITUATION ACTUELLE DE L'OBJET  
SITUACIÓN ACTUAL DEL OBJETO**

**1 Ownership**

It should be made clear whether the object is the property of a public or private organization or of a private individual. The information already provided under A. 5 (Present location) will also be relevant here.

requesting country/Pays demandeur/País solicitante

(The Government of the Hashemite Kingdom  
of Jordan)

The Department of Antiquities of Jordan

**C. 1 Propriété**

Il conviendra de préciser si l'objet est la propriété d'un organisme public ou privé ou d'un particulier. Les renseignements déjà fournis à la rubrique A. 5 (Lieu où se trouve actuellement l'objet) seront également utiles ici.

Holding country/Pays détenteur/País requerido

**C. 1 Propiedad**

Indíquese claramente si el objeto es propiedad de una organización pública o privada o de un particular. La información ya suministrada en A. 5 (Ubicación actual) también será pertinente en este caso.

**2 Mode of acquisition**

The mode of acquisition should be specified, e.g. purchase, gift, exchange, loan, archaeological excavation, temporary import for scientific purposes, illicit acquisition, colonial or foreign occupation, etc.

requesting country/Pays demandeur/País solicitante

The object was revealed out through the  
Archaeological explorations of the site  
of Khirbet Tannur (1936).

**C. 2 Mode d'acquisition**

Il conviendra de spécifier le mode d'acquisition de l'objet, par exemple : achat, don, échange, prêt, fouille archéologique, importation temporaire à des fins scientifiques, acquisition illicite, occupation coloniale ou étrangère, etc.

Holding country/Pays détenteur/País requerido

**C. 2 Modo de adquisición**

Especifíquese el modo de adquisición: compra, regalo, intercambio, préstamo, excavación arqueológica, importación temporaria con fines científicos, adquisición ilícita, ocupación colonial o extranjera, etc.

**1 Form of acquisition**

Excavations of 1936

**C. 3 Date d'acquisition**

**C. 3 Fecha de adquisición**

**C. 4 Present legal status**

Is the object part of the national heritage; is it part of the collection of a public or private museum; is it held on short- or long-term loan, deposit, etc.?

Holding country/Pays détenteur/Pais requerido

**C. 4 Statut juridique actuel**

L'objet fait-il partie du patrimoine national? Fait-il partie des collections d'un musée public ou privé? Est-il détenu au titre d'un prêt à court ou à long terme, en dépôt, etc.?

**C. 4 Situación jurídica actual**

¿Forma el objeto parte del patrimonio nacional? ¿Es parte acaso de la colección de un museo público o privado? ¿Se conserva en calidad de préstamo, depósito, etc. a corto o largo plazo?

**C. 5 Location of object**

The place where the object is currently displayed or held in the holding country should be specified, e.g. a museum gallery or reserve collection.

Holding country/Pays détenteur/Pais requerido

**C. 5 Localisation de l'objet**

Il conviendra de spécifier le lieu où l'objet est actuellement exposé ou conservé dans le pays détenteur, par exemple : galerie de musée ou réserve.

**C. 5 Ubicación del objeto**

Especifiquese el lugar donde se expone o se conserva actualmente el objeto en el país requerido; por ejemplo, la galería de un museo o una colección de reserva.

**C. 6 Remarks**

Further details may be provided if necessary.

Requesting country/Pays demandeur/Pais solicitante

**C. 6 Remarques**

Des renseignements supplémentaires peuvent être fournis ici le cas échéant.

Holding country/Pays détenteur/Pais requerido

**C. 6 Observaciones**

Si es necesario, sírvase proporcionar otros detalles.

**D**      **SUGGESTED ACTION**  
**MEASURES SUGGÉRÉES**  
**ACCIÓN QUE SE SUGIERE**

**D. 1 Previous negotiations**

Give full details of negotiations carried out so far. What progress has been achieved? Please indicate reasons for lack of progress with respect to these negotiations.

**D. 1 Négociations antérieures**

Donner des renseignements détaillés sur les négociations menées jusqu'ici. Quels résultats ont été obtenus? Veuillez indiquer les raisons pour lesquelles ces négociations précèdent.

**D. 1 Negociaciones anteriores**

Sírvase proporcionar detalles completos acerca de las negociaciones que se han llevado a cabo hasta el presente. ¿Qué progresos se han realizado? Indique las razones por las cuales no ha habido progresos respecto a estas negociaciones.

Requesting country/Pays demandeur/País solicitante

Holding country/Pays détenteur/País requerido

1. A letter has been addressed by Dr. Adnan Hadidi, Director of the Department of Antiquities of Jordan to Dr. Millard F. Rogers, Jr., Director of the Cincinnati Art Museum asking the restitution of the two parts of the sculpture. (see Annex I - Appendix page 2)
2. A letter was received from Dr. Millard F. Rogers dated Dec. 19, 1978 stating that the request is under consideration (see Appendix page 3)

**D. 2 Proposals of requesting country**

Proposals with respect to further steps necessary or new forms of co-operation or negotiation to be initiated may be outlined here.

**D. 2 Propositions du pays demandeur**

Les propositions concernant les nouvelles initiatives jugées nécessaires ou les nouvelles modalités de coopération ou de négociation à envisager pourront être brièvement exposées ici.

**D. 2 Propuestas del país solicitante**

Se pueden formular aquí brevemente propuestas sobre las medidas adicionales necesarias o sobre algunos nuevos modos de cooperación o negociación que podrían iniciarse.

Requesting country/Pays demandeur/País solicitante

NONE.

**D. 3 Legal status object would have in requesting country**

Information should be provided as to whether the object would become part of the national heritage or of the collection of a public or private museum or other institution.

**D. 3 Statut juridique qu'aurait l'objet dans le pays demandeur**

Il conviendra d'indiquer si l'objet deviendrait un élément du patrimoine national ou s'il entrerait dans les collections d'un musée public ou privé ou d'une autre institution.

**D. 3 Situación jurídica que tendría el objeto en el país solicitante**

Indíquese si el objeto pasaría a integrar el patrimonio nacional o las colecciones de un museo público o privado o de otra institución.

Requesting country/Pays demandeur/País solicitante

Property of the Amman Archaeological Museum.  
The Government of the Hashemite Kingdom of Jordan.

**D. 4 Place of display in requesting country**  
Information should be provided as to whether the object will be displayed in a state museum or other institution; in a private museum or institution; in a place of worship, etc.

Requesting country/Pays demandeur/País solicitante

Jordan Archaeological Museum, Amman

**D. 4 Lieu d'exposition dans le pays demandeur**  
Il conviendra d'indiquer si l'objet sera exposé dans un musée ou une autre institution d'Etat, dans un musée ou une autre institution privée, dans un lieu de culte, etc.

**D. 4 Lugar de exposición en el país solicitante**  
Indíquese si el objeto será expuesto en un museo o en otra institución del Estado en un museo o institución privada, en lugar de culto, etc.

**D. 5 Facilities available**

Information should be provided concerning the curatorial, managerial and conservation facilities available to the museum or other institution which will receive the object.

Requesting country/Pays demandeur/País solicitante

**D. 5 Moyens disponibles**

Des informations devront être fournies sur les moyens de conservation, de gestion et d'administration dont dispose le musée ou l'institution qui recevra l'objet.

**D. 5 Servicios disponibles**

Proporciones información sobre los vicios de dirección, administración conservación de que dispone el museo o la institución que va a recibir el objeto.

All the curatorial, managerial and conservation facilities of the Cincinnati Museum.

**D. 6 Response by holding country**

The replies should be provided, as necessary, in the order of the items listed on the present form. Further details may be provided on separate sheets, if necessary.

Holding country/Pays détenteur/País requerido

**D. 6 Réponses du pays détenteur**

Les réponses devront figurer dans l'ordre des rubriques du présent formulaire. Des renseignements supplémentaires pourront, s'il y a lieu, être fournis sur des feuilles séparées.

**D. 6 Respuesta del país requerido**

Señale formular las respuestas en el orden de los puntos que figuran en el presente formulario. Utilice hojas sueltas adicionales si es necesario.

**D. 7 Institutions or persons responsible for negotiations**

Requesting country/Pays demandeur/País solicitante

**D. 7 Institutions ou personnes chargées des négociations**

Holding country/Pays détenteur/País requerido

**D. 7 Instituciones o personas responsables de las negociaciones**

Dr. Adnan Hadidi, Director General of Antiquities.

11

**E OTHER OBSERVATIONS/AUTRES OBSERVATIONS/OTRAS OBSERVACIONES**

requesting country/Pays demandeur/País solicitante

Holding country/Pays détenteur/País requerido

requesting country/Pays demandeur/País solicitante

Holding country/Pays détenteur/País requerido

Signed/Signature/Firma .....

Signed/Signature/Firma .....

**ADNAN A.K. HADIDI**

Full Name/Nom/Nombre completo .....

Full Name/Nom/Nombre completo .....

**DIRECTOR OF ANTIQUITIES**

Title/Titre/Título .....

Title/Titre/Título .....

Date/Fecha 14 SEPT. 1983

Date/Fecha .....



**A.1 Description of the Object:**

It is a circular limy ,sandstone panel of Tyche with the Zodiac. The veiled goddess, is wearing a mural crown. A crescent moon is represented over the right shoulder with a crescent moon and a torch over the left shoulder. Ten out of the twelve symbols of the zodiac constellations encircle the bust of the goddess. Half of them are in clockwise and the other half in counterclockwise order, probably in relation with a special Nabataen calendar. The panel was supported by the statue of Nike (see Pls.II,IV), recently purchased by the Jordan Archaeological Museum in Amman. This sculpture was discovered at Khirbet Tannur, (see map.1, and pl.I) in 1936 with many other representations of Nabataean gods and goddesses. It has been dated by N.Glueck to the 1st quarter of the 2nd century A.D. While other scholars assign it to the 2nd half of the 1st century A.D.

**A.8 A detailed description:**

Other sculptures of Tyche are in the Amman Archaeological Museum from the same site. . But the most significant parallel to the Zodiac is a fresco painted on the dome of the caldarium of Quseir 'Amra, a hunting pavillion of the Umayyad period( 8th century A.D)( see pl. IV ).

It thus demonstrates the continuity of the art tradition in the country from the 1st to the 8th century A.D. with special reference to religious believes in the two different periods. A similar sculpture with an Atlas supporting Zeus and the Zodiac, is in Rome . ( see pl. III ).

TELEPHONE : ANTIQUE  
TELEPHONE : AMMAN 44306-7



TEL. HASHEMITE KINGDOM  
OF JORDAN  
Department of Antiquities  
P. O. B. 88  
AMMAN

Ref.: 18/6/2311.....

Date: 26/11/78.....

Dr. Millard F. Rogers, Jr. Director  
Cincinnati Art Museum  
Cincinnati, Ohio 45202  
U.S.A.

Dear Dr. Rogers:

When I was recently in Cincinnati, I had the pleasure of meeting Dr. Daniel S. Walker, Curator of the Cincinnati Art Museum. As a result of our conversations, he suggested that I write directly to you concerning a matter of interest to both of our institutions.

Your museum has in its possession the "Bust of Tyche Crowned with the Zodiac," from Khirbet et-Tannur, a fine Nabataean site in Jordan. Your current "Handbook" indicates (P.28) that the object was acquired as a gift by subscription, 1939.

Originally, the "Bust of Tyche Crowned with the Zodiac" was part of a larger piece of sculpture, and rested on top of a fine Nabataean statue. Through an antique dealer in Amman, our Department finally succeeded in purchasing the statue on which the Zodiac rested. It had been for some time in Beirut. The statue is now in our Archeological Museum in Amman.

The reason for my talking with Dr. Walker, and the reason for my writing to you now, is to convey our hope of being able to reunite the two pieces, the Zodiac and the Statue, in our National Archeological Museum. Separated, the two pieces do not possess their original unity and grandeur, Would you consider reuniting them by arranging for a return of the Zodiac to Amman? As a token of our appreciation, and as an expression of the cultural ties between our Department and your Museum, we would consider making a contribution of other materials to your Museum. I would also note here that UNESCO'S 1978 report ( 20th Session) supports our request ( Chapter II, pp. 7-8)

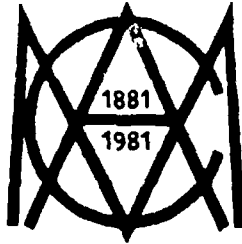
I hope that you can consider our request favorably, and that the two pieces can be reunited once again. Let me express my deepest appreciation to you already, for the fine relations that exist between your Museum, with its excellent Nabataean exhibition, and our Department.

Sincerely yours,  
*Adnan Hadidi*  
Adnan Hadidi  
D.G. of Antiquities

cc. Mr. Daniel S. Walker.

کتاب رقم ۱۰۰ / ۱ / ۷۵ / ۱۹۷۱

On to the Second Century



Cincinnati Art Museum Cincinnati, Ohio 45202 Telephone 513 721-520

December 19, 1978

AIR MAIL

Dr. Adnan Hadidi  
Director General of Antiquities  
Department of Antiquities  
P.O.B. 88  
Amman, Jordan

Dear Dr. Hadidi:

The Cincinnati Art Museum has received your letter of November 26, 1978, with your request concerning the reuniting of the Bust of Tyche with the Zodiac (acc. no. 1939.233) in our Museum with the Nabataean sculpture in the National Archeological Museum, Amman.

The Cincinnati Art Museum has your request under consideration, and we will be corresponding with you again as soon as possible.

I am sorry I was not able to meet you on your recent visit to Cincinnati, but we are pleased that you had this opportunity to see the Museum.

Sincerely yours,

*Millard F. Rogers Jr.*

Director

MFRjr/cs  
cc: Ghaleb Z. Barakat  
Minister of Tourism and Antiquities



Pl. II

Nike supporting Tyche and the  
Zodiac (The complete Statue).

Part a: In possession of Amman  
Archaeological Museum (Jordan).

Part b: In possession of Cincinnati  
Art Museum (U.S.A.).

Resolution 22 C/11.4 adopted by the General Conference of Unesco at its  
twenty-second session (October–November 1983)

**Implementation of the Convention on the means of prohibiting and preventing  
the illicit import, export and transfer of ownership of cultural property**

*The General Conference,*

*Having examined* document 22C/93 which contains, in particular, the report of the Committee on Conventions and Recommendations of the Executive Board on proposals for the implementation of the Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property,

*Having noted* the Executive Board's decision concerning the said report (116EX/Decision 5.4.3) by which it invited the Director-General to submit to the General Conference, at its twenty-second session, a draft resolution based on the said proposals and taking into account the observations and suggestions made in the course of the Executive Board's debate,

*Having noted with satisfaction* the progress made since 15 September 1978 in implementing the Convention, which as at 30 June 1983 had been ratified or accepted by fifty-two states,

*Considering* however that action against illicit traffic in cultural property urgently needs to be strengthened at the international and national levels,

*Considering* that the action proposed by the Committee on Conventions and Recommendations in pursuance of resolution 4/7.6/4 adopted by the General Conference at its twentieth session could improve the implementation of the Convention,

1. *Invites* all states which have not yet done so to become Parties to the Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property and, in particular, *calls upon* those states which have so far considered that they could not become party to the Convention, because they felt that certain of its provisions raised problems, to review the question in the light of the experiences acquired by some countries which have surmounted similar problems;
2. *Invites* states to enter into regional agreements which would protect the cultural heritage of the region by, for instance, specifying that the illicit export of cultural property originating from any state in the region would be prohibited and any action designed to bring about such illicit traffic would be punished by any state in that region;
3. *Invites* states and intergovernmental organizations to draw the attention of all persons benefiting from diplomatic immunities to the importance of preserving the cultural heritage of all countries and in particular to the need to respect the laws of their host country governing the export of cultural property, reminding such persons of the provisions of Article 41(1) of the Vienna Convention on diplomatic relations which stipulates in regard to diplomatic agents that 'without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving state';
4. *Invites* those states to which illegally exported cultural property is often conveyed to offer assistance to those states which suffer from illicit export of cultural property, in the drawing up of national inventories of cultural property and in the training of specialized personnel to this end;
5. *Invites* states to take measures to ensure that cultural property which has been the subject of illicit traffic is not provided with services of authentication, evaluation and conservation which may in any way serve to legitimize such traffic, drawing in particular the attention of those states where these services are concentrated to these provisions, and *calls on* the International Council of Museums (ICOM) to pursue its efforts towards a wider application of ethical standards to this effect;
6. *Invites* states to adopt the measures advocated in the Recommendation concerning the international exchange of cultural property (1976) to develop the circulation of cultural property among cultural institutions in different countries as a means of discouraging the spread of illicit traffic