



September 22, 2021
Submitted via regulations.gov portal

Mr. Stefan Passantino
Chair of the U.S. Cultural Property Advisory Committee
Cultural Heritage Center (ECA/P/C)
U.S. Department of State
2200 C Street, NW
Washington, DC 20037

Subject: Docket DOS-2021-0032 Cyprus

Dear Mr. Passantino and Cultural Property Advisory Committee Members:

On behalf of the Ancient Coin Collectors Guild and the American Numismatic Association, this responds to object to the proposed extension and amendment of the MOU and associated import restrictions with the Republic of Cyprus, as it impacts ancient coins. Published by the Executive Director of the Cultural Property Advisory Committee (CPAC) at 86 Federal Register 50930-31, Docket DOS-2021-0032 (September 13, 2021), the public notice states that any comments must be submitted within 13 days by September 26, 2021, and that requests to participate in the CPAC's October 5, 2021 open session meeting must be made within 15 days by September 28, 2021.

As detailed below, we have three procedural objections, and four substantive objections, why a proposed extended and amended MOU and revised Designated List should not go forward or include an import restriction on ancient coins. We ask the CPAC to advise the decision maker Acting Assistant Secretary Matthew Lussenhop, to delist coins, or at least not further expand the Designated List of coins. With Cyprus a member of the European Union, we also ask CPAC to advocate that any import restrictions be made subject to E.U. export controls binding on Cyprus, such that any Cypriot coins that may be on a Designated List that are legally exported from sister E.U. countries are allowed entry into the United States.

The Ancient Coin Collectors Guild (ACCG) is a nonprofit organization, whose mission is to promote and nurture the free and independent collecting of coins¹ from antiquity through education, political action and consumer protection. Our goal is to foster an environment in which the general public can confidently and legally acquire and hold, for personal or professional use, any numismatic item of historical interest regardless of date or place of origin. We do not in any way support, condone or defend the looting of designated archaeological sites,

¹ The coin is "a mirror of the ancient world, which indicates the progress of the arts, which accompanies human society in all its aspects, civic life, laws, institutions, wars, conquests, peace treaties, changes of government, trade, and alliances. It perpetuates the fame of noble generations and keeps alive the memory of great men [as well as great women]." Elvira Eliza Clain-Stefanelli, *Numismatics - An Ancient Science A Survey of its History* at 3 (U.S. Government Printing Office, 1968) quoting Ernest Charles Babelon, *Traité des monnaies grecques et romaines: Théorie et doctrine*, Volume 1, col 66 (Paris, 1901).

nor the violation of any nation's laws concerning the import or export of antiquities. We have twenty-four affiliate member organizations and advocates for the interests of thousands of ancient coin collectors and hundreds of small businesses of the numismatic trade. More information regarding the ACCG may be found at our website at accguild.org.

The American Numismatic Association is a nonprofit organization dedicated to educating and encouraging people to study and collect coins and related items. The Association serves the academic community, collectors and the general public with an interest in numismatics. With over 28,000 members the Association is our nation's largest numismatic organization. More information about the Association can be found at its website at <https://www.money.org>.

To begin with, we have two procedural objections that the public notice is legally defective, such that it needs to be rescinded and reissued, so that the public is truly afforded a meaningful opportunity to submit comments and participate in the CPAC's open session. This is because the September 13 public notice only gives the public 13 days to submit comments by September 26, and only 15 days to request to participate in the CPAC's open session meeting by September 28. And the September 13 public notice fails to inform the public whether and what additional ancient coins may be subject to import restrictions. We also have a third procedural objection regarding the CPAC itself, since it has failed to include three art trade representatives as members as required by 19 U.S.C. § 2605(b)(1)(C).

We also make four substantive objections, in the event that the CPAC decides to go forward, in considering an extension and amendment of the MOU and associated import restrictions with the Republic of Cyprus that impacts ancient coins, under the Cultural Properties Implementation Act (CPIA). First, that ancient coins do not qualify as artifacts of "cultural significance" under 19 U.S.C. § 2601(2)(C)(i)(I) of the CPIA. Second, it cannot be assumed that a particular Cypriot coin was "first discovered within" and "subject to the export control" of the Republic of Cyprus, which is required by 19 U.S.C. § 2601(2)(C) of the CPIA. Third, import restriction of ancient coins should not occur because there are two available "remedies less drastic than the application of the restrictions" under 19 U.S.C. § 2602(a)(1)(C)(2) of the CPIC. Fourth, there is no indication that Cyprus has submitted a statement of facts that addresses the matters upon which the Department makes the determinations under 19 U.S.C. § 2602(a)(1) of the CPIA.

I. Procedural Objections:

A. The public notice fails to afford the public a meaningful opportunity to comment, since the September 13 public notice gave the public only 13 days to submit comments by September 26, and only 15 days to request to participate by September 28 in the CPAC's open session meeting.

First, the 13-day public notice for the public to comment and the 15-day public notice for the public to request participation in the CPAC's open session, published at 86 Federal Register 50930 (September 13, 2021), does not afford the public a meaningful opportunity to comment. As such, its failure to offer the public a meaningful opportunity violates the Administrative Procedure Act, 5 U.S.C. 533(c), that requires that an agency "shall give interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation."

The important purposes of the Administrative Procedure Act's notice and comment procedure cannot be overstated. The agency benefits from the experience and input of comments by the public, which help "ensure informed agency decision making." *Spartan Radiocasting Co. v. FCC*, 619 F.2d 314, 321 (4th Cir.1980). The notice and comment procedure are also designed to encourage public participation in the administrative process. *Chocolate Mfrs.Ass'n v. Block*, 755 F.2d 1098, 1103 (4th Cir.1985). By giving the necessary "meaningful opportunity" for the public to comment, the public benefits while the agency maintains a flexible and open-minded attitude. *Rural Cellular Ass'n v. FCC*, 588 F.3d 1095, 1101 (D.C.Cir. 2009) citing *Gerber v. Norton*, 294 F.3d 173, 179 (D.C.Cir. 2002).

Second, the limited 13-day and 15-day public comment time period also violates Executive Order 12866, § 6(a), 58 Fed. Reg. 51735 (October 4, 1993) which provides that "each agency should afford the public a meaningful opportunity to comment on any proposed regulation, which in most cases should include a comment period of not less than 60 days."

B. The public notice fails to indicate whether ancient coins may be prohibited and thus fails to afford the public with advance notice to provide meaningful comments.

The public notice at 86 Federal Register 50931(September 13, 2021), merely states that the Government of the Republic of Cyprus has requested "that the agreement be amended to include additional categories of archaeological and ethnological material." And while the public notice states that a copy of the MOU and Designated List of categories of material restricted from import into the United State can be found on the Cultural Heritage Center's website, the website only contains the past MOU. It does not include the text, or even a summary, of the proposed extended and amended MOU or the proposed revised Designated List that is being considered. This means that both the public notice and the website has failed to offer **sufficient factual details**, whether and what additional ancient coins may be subject to import restrictions, to permit interested parties to comment meaningfully.

The current 2012 Designated List of items subject to import restrictions is found in the Department of Treasury's "Designated List of Import Restrictions on Archaeological Objects and Ecclesiastical and Ritual Ethnological Materials From Cyprus." The 2012 Designated List identifies only limited types of Cypriot coinage at 77 Federal Register 41269 (July 13, 2012) that consists of: "Coins of Cypriot types made of gold, silver, and bronze including but not limited to: 1. Issues of the ancient kingdoms of Amathus, Kition, Kourion, Idalion, Lapethos, Marion, Paphos, Soli, and Salamis dating from the end of the 6th century B.C. to 332 B.C. 2. Issues of the Hellenistic period, such as those of Paphos, Salamis, and Kition from 332 B.C. to c. 30 B.C. 3. Provincial and local issues of the Roman period from c. 30 B.C. to 235 A.D. Often these have a bust or head on one side and the image of a temple (the Temple of Aphrodite at Palaipaphos) or statue (statue of Zeus Salaminios) on the other."

If the CPAC is considering import restrictions of Cypriot coins after 235 A.D. -- which is outside the scope of the 2012 Designated List -- then the public notice needs to be reissued to afford the public with advance notice as to which other coins are being sought to be restricted, so to allow for meaningful public comments. Such a revised public notice is required under the Administrative Procedure Act, which requires an agency's notice must "provide sufficient

factual detail and rationale for the rule to permit interested parties to comment meaningfully." *Fla. Power & Light Co. v. United States*, 846 F.2d 765, 771 (D.C. Cir.1988). Moreover, if there is an extension of the import restrictions of ancient coins, then it must be first fully explained. The failure of an agency to comply with the procedural requirement to provide a "reasoned explanation" for its action is "arbitrary and capricious" under the Administrative Procedure Act. *Dept. of Homeland Security v. Regents of the University of California*, 140 S.Ct. at 1916 (2020).

C. The CPAC needs to include three art trade members as required by 19 U.S.C. § 2605(b)(1)(C), which was enacted to ensure fair and balanced representation.

As another important threshold matter, the CPAC should take no action until its membership composition fully conforms to the requirements of 19 U.S.C. § 2605(b)(1)(C) by adding three representative members of the art trade.² Enacted to ensure that there is a fair and balanced representation, 19 U.S.C. § 2605(b)(1)(C) requires that the CPAC's composition must include "[t]hree members who shall be experts in the international sale of archaeological, ethnological, and other cultural property."

The CPAC still has only one member³ – not the statutory-required three members – who represents the international sale of cultural property. Having a "fair and balanced representation" on the CPAC is especially important, since some members represent hostile anti-collecting views, that are far more extreme than those of the broader archaeological community. As one example, at the CPAC's public hearing on July 22, 2020, one CPAC member who represents archeological interests stated that ancient coin collectors – of which there are many thousands in the United States -- should give up collecting ancient coins and take up another hobby! While this person is no longer a CPAC member, archaeological slots are consistently filled, while slots representing the interests of art and antiquities dealers have gone unfilled for years.

The failure to include three members from the art trade on the CPAC appears to be a long-standing "fair representation" problem. It could create an imbalance in the CPAC's obligations to review and make recommendations, which could negatively impact the public, museums, the trade, and collectors. Gary Vikan, the former Director of the Walters Art Museum and a CPAC member from 1999-2003, wrote that at one 2000 CPAC meeting, that the members of the antiquities trade were "missing," because he was told that they "were now deemed to be flawed by an inherent conflict of interest, so they were not invited." Mr. Vikan wrote that the limited membership on the CPAC "bothered me because the point of CPAC was to bring to the table

² The failure to have three representatives of the art trade on the CPAC is long-standing problem that has been raised repeatedly by the ACCG and others. Because no corrective action occurred even after repeated complaints, the ACCG filed a complaint with the Department of State's Office of Inspector General on June 21, 2021. The Inspector General's Office has referred our complaint to the U.S. Bureau of Educational and Cultural Affairs on August 3, 2021.

³ The CPAC's current composition comes from <https://eca.stste.gov/cultural-heritage-center/cultural-property-advisory-committee/committee-members> (visited September 22, 2021). But the one CPAC member who is listed as representing the interests of the art trade was initially appointed as a public member. Even though he is a collector, not a dealer, we nonetheless truly appreciate his efforts to ensure the representation of the interests of both small business and collectors.

eleven citizens of good will with different perspectives of the international movement of cultural property." Indeed, Mr. Vikan concluded that the "makeup of the CPAC as I joined was clearly at odds with what I knew the intent of the Cultural Property Implementation Act to be." Gary Vikan, Sacred and Stolen Confessions of A Museum Director (SelectBooks Inc., 2016) pp. 246-247.

We understand that there are a number of highly qualified members of the art dealers trade who have applied for CPAC slots, but have heard nothing about their applications. There are also no members representing the interests of religious minorities. This problem has manifested itself because some Middle Eastern Governments have claimed community religious property and, in some cases, have evicted minority Jewish and Christian populations. We urge the appointment of three members to represent the art dealers trade as well as those who can speak to the interests of religious minorities. This would be consistent with 19 U.S.C. § 2605(b)(2)(A), that require appointments be made in such a manner so as to insure "fair representation of the various interests of the public sectors and the private sectors in the international exchange of archaeological and ethnological materials."

II. Substantive Objections:

We believe that if import restrictions are being considered on Cypriot coins after 235 A.D., in an extended and amended MOU and revised Designated List, then it runs afoul of at least four statutory provisions of the CPIA and should be denied:

A. Coins should not qualify as artifacts of "cultural significance" under 19 U.S.C. § 2601(2)(C)(i)(I) of the CPIA.

The ACCG continues to believe that coins should not qualify as artifacts of "cultural significance" under 19 U.S.C. § 2601(2)(C)(i)(I) of the CPIA. During the legislative debate preceding passage of CPIA, the U.S. State Department representative, Mr. Mark Feldman, made it clear that coins were not considered objects of concern under the proposed Act. Responding to questions posed by Congressman Vanik, which included concerns that "a government may declare that all ancient coins within its borders are government property" as part of its "archaeological or ethnological material" Mr. Feldman responded:

"I think in theory, they may well come within the definition but we did not have coins in mind when we addressed the issue. I think as a practical matter, it would not be a serious problem. In most cases, it is impossible to establish the provenance of a particular coin or hoard of coins. Therefore, there would be no reason for the United States, in most cases, to list coins as one of the categories of objects of archaeological or ethnological interest that would be included in the agreement."

"Cultural Property Treaty Legislation," Hearing before the House Subcommittee on Trade of the Committee on Ways and Means, 96th Cong., 1st session on HR 3403. p. 8. (September 27, 1979).

As then-ACCG Executive Director Wayne G. Sayles wrote the CPAC on September 20, 2010, ancient coins are rarely significant cultural objects, that the effective preservation of cultural resources requires a cooperative approach, that the private ownership of ancient coins is not only

consistent with the interests of society, and that import restrictions would have no effect on the world market except to exclude our citizens from it.

Moreover, coins are the first truly “massed-produced” objects in the ancient world, created by striking engraved obverse and reverse dies onto blank metal disks. Yet the individual ancient coin is essentially a duplicate minted from coin dies, which are produced in the thousands, and do not meet the “cultural significance” requirement. There is “a lot of debate as to whether or not nations and scholars should consider coins as culturally significant.... Coinage, in a general sense, provides evidence to historians about the monetary systems of ancient civilizations, various historical events, information about the art styles of ancient civilizations, and more. Individual coins, however, are ‘by their very nature duplicates.’ Nothing new about a culture can be learned from a duplicate coin if a single, viable copy of that coin has been studied.” Cody Wisniewski, *The Currency of History: The Possible, and Improper, Restriction on Ancient Egyptian Coinage*, 17 San Diego Int’l L.J. 329, 346 (2016)(footnotes omitted).

B. It cannot be assumed that a particular Cypriot coin was “first discovered within” and “subject to the export control” of the Republic of Cyprus, which is required by 19 U.S.C. § 2601(2)(C) of the CIA.

It is well known that that it is typically impossible to assume a particular coin was “first discovered within” and “subject to the export control” of the Republic of Cyprus. *Ancient Coin Collectors Guild v. U.S. Customs and Border Protection*, 801 F. Supp. 2d 383, 407 n. 25 (D. Md. 2011) (“Congress only authorized the imposition of import restrictions on objects that were ‘first discovered within, and [are] subject to the export control by the State Party.’”). Indeed, large numbers of ancient coins struck within Cyprus were circulated and hoarded outside the island, and are nowadays found widely and legally available for sale elsewhere and even within Cyprus itself. To the extent that the proposed extension and amendment of the MOU with Cyprus seeks to restrict additional Cypriot coins, scholarly evidence demonstrates not only were there relatively few mints located there, but that their coins were widely circulated and typically found outside the confines of modern-day Cyprus.

Drawing from data compiled in the Inventory of Greek Coin Hoards and the Coin Hoards series published by the Royal Numismatic Society and American Numismatic Society, the enclosed study “Cypriot Coin Finds Beyond the Borders of the Republic of Cyprus” (2016)⁴ lists scores of Archaic, Classical and Hellenistic Cypriot coins that have been found outside the Republic of Cyprus. Specifically, Archaic and Classical Cypriot coins have been found in modern-day Turkey, Egypt, Jordan, Iran, Iraq Afghanistan, Lebanon, while Hellenistic Cypriot coins have been found in modern-day Greece, Turkey, Syria, Egypt, Iran, Macedonia, Lebanon, Israel, Serbia, Romania and Ukraine. For the Roman Imperial and Provincial time periods, the Coin Hoards of the Roman Empire's database, at <https://chre.ashmus.ox.ac.uk/>, lists Cypriot coins from the mint at Koinon that have been found outside Cyprus in modern-day France (255906), Greece (176044), Israel (194698, 203548), Italy (289790), Syria (233578, 233579, 233581, 233728, 233906) and Turkey (234961).

⁴ This study was earlier provided to the CPAC, and marked as Exhibit B in the letter by the International Association of Professional Numismatists and the Professional Numismatists Guild dated September 23, 2016, regarding a potential renewal of the MOU with Cyprus.

Due to the unreasonable short time period that we had to submit our comments, we have been unable to compile the coin hoard findspots of Byzantine, Crusader, Medieval and Ottoman Cypriot coins that are located outside the Republic of Cyprus. But just like the Archaic, Classical, Hellenistic, Roman and Provincial Cypriot coins that widely circulated and have been identified in coin hoards located outside the Republic of Cyprus, we expect that Byzantine, Crusader, Medieval and Ottoman Cypriot coins were likewise widely circulated and have been found in coin hoards located outside the Republic of Cyprus.

C. An import restriction of Cypriot coins should not occur because there are two available “remedies less drastic than the application of the restrictions” under 19 U.S.C. § 2602(a)(1)(C)(2) of the CPIC.

First, there is no evidence that Cyprus has adopted the “less drastic” system that exists such as with the United Kingdom’s Treasure Act and Portable Antiquities Scheme (PAS). Fully detailed at www.finds.org.uk, the United Kingdom’s system⁵ is well regarded, effective, and is clearly “less drastic” than import restrictions of Cypriot coins. The United Kingdom’s system promotes the maximum public interest and benefit from the recovery, recording and research of portable antiquities; promotes best practice by finders/landowners and archaeologists/museums in the discovery, recording and conservation of finds made by the public; in partnership with museums and others, raises awareness among the public; creates partnerships between finders and museums/archaeologists to increase participation in archaeology and advance our understanding of the past; and increase opportunities for museums to acquire archaeological finds for public benefit. It should be noted that the UK Portable Antiquities Scheme also respects the rights of

⁵ The British Museum’s 8-page Portable Antiquities & Treasure Strategy: 2020, at <https://finds.org.uk/documents/file/PAS-strategy-2019.pdf> (visited June 27, 2020), lists many of the key accomplishments of the United Kingdom’s Portable Antiquities Scheme. This includes that it “has recorded over 1 million archaeological finds discovered by the public on its online database, helping to identify new archaeological sites and help rewrite our understanding of the past[; that o]ver 10,530 Treasure finds have been reported via the PAS, of which 37% have been acquired by 215 museums across England and Wales for public benefit[; that] PAS data is important to archaeological research, and has been used in at least 455 research projects, including 20 pieces of large-scale research and 95 PhDs[; the t]he Code of Practice for Responsible Metal Detecting in England and Wales provides the baseline for best practice for those searching for archaeology[; and that t]he PAS provides a model for other finds recording systems, such as those being established in Flanders, Denmark, the Netherlands and Finland.”

See also The Portable Antiquities Scheme Annual Report 2019 at <https://finds.org.uk/documents/annualreports/2019> (visited September 21, 2021)(Reporting that 81,602 finds were recorded; that the PAS database holds 1,511,589 objects and coins within 967,610 records; that 4,143 individuals offered finds for recording, and almost 90% of finds were found by metal-detectorists; that over 86% of finds were found on cultivated land, where they are susceptible to plough damage and artificial and natural corrosion processes; that over 99% of PAS finds were recorded to the nearest 100m; that new sites discovered through finds recorded by the PAS include a high-status dispersed Iron Age to Roman settlement with associated burials in Kent, a possible Medieval manor or lodge in Shropshire, and an Anglo-Saxon cemetery in Lincolnshire; that 511 researchers have full access to PAS data, and there are 50,171 registered account users; that 765 research projects have used PAS data to date, including 28 major pieces of large-scale research and 159 PhDs.)

landowners, who are entitled under the law to share in the fair market value of antiquities found on their property. As a result, many farmers in the UK cooperate with metal detector hobbyists in providing permission for orderly access to their fields. Because of this, we know more about the circulation of ancient and medieval coinage in Britain than in any other part of the world.

Second, as another “less drastic” alternative to import restrictions, the CPAC should facilitate lawful trade by acknowledging and honoring European Union member countries, who allow the export of archaeological and ethnological objects with or without a license according to the local law of the exporting E.U. member. With Cyprus a member of the E.U., honoring E.U. exports certainly qualify as a “less drastic” remedy other “than the application of the restrictions.” Allowing entry of objects legally exported from the E.U. that are found on “designated lists” for E.U. member countries would greatly facilitate lawful trade in a situation that could not have been specifically contemplated by the CPIA, which predates the E.U.’s export control regime. This can be simply accommodated by modifying any MOU to make any import restrictions inapplicable to ancient coins legally exported from another E.U. country, with or without a formal export permit under local law.

D. There is no indication that Cyprus has submitted a statement of facts that addresses the matters upon which the Department makes the determinations under 19 U.S.C. § 2602(a)(1) of the CPIA.

According to the Bureau of Educational and Cultural Affairs, found at <https://eca.state.gov/cultural-heritage-center/cultural-property-advisory-committee/foreign-government-requests>, a Foreign Government’s request for cultural property protection must “include a statement of facts that addresses the matters on which the Department makes the determinations specified in the CPIA, 19 U.S.C. § 2602(a)(1).” These determinations must include... “4. *Credible enforcement efforts*, including monitoring for compliance and appropriate sanctions, documentary evidence of which should include data of sufficient duration and scope to provide the information necessary for a reliable determination.”

First, neither the 2021 public notice nor the CPAC’s website documents – much less even allege -- that Cyprus has engaged in “credible enforcement efforts.” Until such documentation has been presented to the CPAC, and made available to the public, the CPAC cannot confirm that Cyprus has engaged in the necessary “credible enforcement efforts.” In that regard, there is no evidence that Cyprus has fulfilled its obligations in the 2007 MOU’s Revised Article II, which among other things required the Government of the Republic of Cyprus to: “E ... seek to complete its inventory of cultural resources in museums, ecclesiastical buildings, private collections, and archaeological sites....; F. ... develop management plans for the effective protection of those archaeological sites that are open to the public; G. ... use its best efforts to further restrict the use of metal detectors; H. Recognizing that rapid land development can give rise to pillage, the Government of the Republic of Cyprus will seek ways to partner with private cultural resource management entities for the purpose of conducting salvage archaeology and historic preservation.”

Second, neither the 2021 public notice nor the CPAC’s website document – much less even allege -- that Cyprus has provided to the U.S. Cultural Property Advisory Committee the

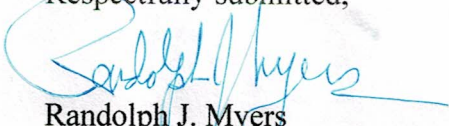
required "data of sufficient duration and scope to provide the information necessary for a reliable determination." Until such documentation has been presented to the CPAC, and made available to the public, the CPAC cannot confirm that Cyprus has submitted the required "data of sufficient duration and scope to provide the information necessary for a reliable determination."

III. Conclusion

The Ancient Coin Collectors Guild along with the American Numismatic Association urges the U.S. Cultural Property Advisory Committee to correct the two problems regarding the insufficiency of its public notice and also **add the three representatives from the art trade as required by 19 U.S.C. 2605(b)(1)(C).** Due to the four substantive objections we have detailed, if the extended and amended MOU is enacted, we ask the CPAC to advise the decision maker Acting Assistant Secretary Matthew Lussenhop, to delist coins, or, failing that, to not expand the Designated List further. Finally, since Cyprus is a member of the European Union, we also ask CPAC to advocate that any import restrictions be made subject to the E.U.'s export controls binding on Cyprus, such that any Cypriot coins that may be on a Designated List that are legally exported from sister E.U. countries are allowed entry into the United States.

The issues regarding ancient coins are very important to the large numbers of collectors like our members of the **Ancient Coin Collectors Guild**, who collect coins out of love of history and as an expression of our own cultural identity. And while the American Numismatic Association at www.money.org/consumer-awareness/ancient-coin-import-restrictions, "fully supports the idea of protecting cultural property," it has "consistently argued that ancient coins should not be included in MOUs for a number of reasons. First, coins are among the most common and durable of artifacts (with a few notable exceptions), and therefore the information they contain is in no danger of being lost to historians or archaeologists in the way unique or rare objects would be if not preserved in cultural institutions. Additionally, there is no shortage of coins in museums in nations that have ancient specimens as part of their history, particularly Europe, the Middle East and China. Finally, coins are excellent teaching tools. Their durability – and the large number of specimens available – make them ideal collectors' items. They encourage interest in the past, which in turn promotes educational programs in museums and universities, many of whose collections were formed or financed by hobbyists."

Respectfully submitted,



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Enclosure: "Cypriot Coin Finds Beyond the Borders of the Republic of Cyprus" (2016)

Cypriot Coin Finds Beyond the Borders of the Republic of Cyprus

Archaic and Classical Coins

In a letter to the U.S. State Department dated February 3, 2007, the President of the AIA, C. Brian Rose attempted to give the misleading impression that the coins of Cypriot kings and cities remained in the island and did not circulate elsewhere, stating that "Coins minted on Cyprus were very rarely taken from the island in antiquity. If one examines the discoveries at officially sanctioned excavations in the countries that surround Cyprus, such as Turkey, Syria, Lebanon, and even Israel, one can see how infrequently Cypriot coins figure among the finds."¹ One serious problem with this claim is that Dr. Rose does not indicate precisely which site reports have been used as its basis. So few systematic reports of coin finds exist for the numerous excavated sites in the adjacent countries of Greece, Turkey, Syria, Jordan, Lebanon, Israel, and Egypt that Dr. Rose's statement can hardly be taken as dogma.² While we admit that Cypriot coins have not appeared in major site reports, such as those for the Athenian Agora or Sardis, it seems not improbable that they would appear in reports of site finds from Cilicia in southern Turkey, which was closely connected to Cyprus in the classical period, if not elsewhere.³ In short, the evidence is simply not yet available with which to make such sweeping statements about site finds.

Dr. Rose's statement creates an even greater false impression by its total failure to address the undeniable presence of Cypriot coins of the archaic and classical periods in hoards deposited outside of Cyprus. The Cypriot contents of these hoards are summarized in Table 1, which presents the published information on 389 individual pieces found in 8 different modern states in Europe, the Middle East, North Africa, and Central Asia. The data is drawn only from the *Inventory of Greek Coin Hoards*, the *Coin Hoards* series of the Royal Numismatic Society and (as of 2010) the American Numismatic Society. The table does not (and cannot) take into account private finds, unpublished find records from archaeological sites, or hoard material that was not recorded prior to sale. Bearing these limitations in mind, the numbers are almost certainly higher than those presented here.

Based on the numbers found and the geographical spread of the hoards, it is difficult to see how one can reasonably claim that Cypriot coins of the archaic and classical periods did not circulate off the island in antiquity. The published hoard evidence would appear

¹ <http://www.archaeological.org/news/advocacy/118>.

² For the general problem of under-publication of coin finds and the refusal of local archaeological and museum authorities to permit publication of coin finds, see for example, C. Katsari, *The Roman Monetary System* (Cambridge, 2011), pp. 31-33.

³ It has been pointed out recently that foreign coins account for more than a quarter of the finds at archaeological sites: F. de Callatay, "Greek Coins from Archaeological Excavations: A Conspectus of Conspectuses and a Call for Chronological Tables," in P. van Alfen (ed.), *Agoranomia: Studies in Money and Exchange Presented to John H. Kroll* (New York, 2006), pp. 184-185.

to constitute the evidence of circulation missed by Dr. Rose when he claims that, "Dealers occasionally argue that some of the Cypriot coins they sell were found in other countries, but there is no proof of this." It is odd that the hoard evidence has been overlooked, when every good archaeologist knows that the coins most likely to travel are larger denomination silver coins (such as the Cypriot stater denomination that most commonly appears in the hoards) and that these are generally found in hoards rather than lost singly in the public and private buildings that are usually the targets of archaeological excavation.

Table 1: Archaic and Classical Cypriot Coins found outside of Cyprus

| Issuer | Number | Find Country | Findspot | Reference |
|----------------------|--------|--------------|------------------|-----------|
| Amathos | 3 | Turkey | Cilicia | IGCH 1263 |
| | 1 | Egypt | Benha el Asl | IGCH 1640 |
| Golgi | 1 | Egypt | Benha el Asl | IGCH 1640 |
| Idalion | 1 | Turkey | Asia Minor | IGCH 1252 |
| | 4 | Jordan | Jordan | IGCH 1482 |
| | 1 | Egypt | Benha el Asl | IGCH 1640 |
| | 1 | Egypt | Asyut | IGCH 1644 |
| | 1 | Egypt | Fayum | IGCH 1646 |
| | 1 | Egypt | Unknown | CH 10.437 |
| | 1 | Egypt | Unknown | CH 10.437 |
| Kition | 3 | Turkey | Asia Minor | IGCH 1252 |
| | 2 | Turkey | Cilicia | IGCH 1259 |
| | 13 | Turkey | Cilicia | IGCH 1263 |
| | 1 | Egypt | Garbieh | IGCH 1656 |
| | 1 | Iran | Malayer | IGCH 1790 |
| | 2 | Afghanistan | Cabul | IGCH 1830 |
| | 8 | Turkey | Southern Cilicia | CH 8.91 |
| | 2 | Turkey | Celenderis | CH 8.100 |
| | 3 | Turkey | Cilicia | CH 8.165 |
| | 1 | Turkey | Selimiye | IGCH 1254 |
| | 10 | Turkey | Cilicia | IGCH 1255 |
| Kition (Azbaal) | 2 | Lebanon | Masyaf | IGCH 1483 |
| | 1 | Afghanistan | Balkh | IGCH 1820 |
| | 2 | Turkey | Cilicia | CH 1.21 |
| Kition (Baalmelek) | 5 | Jordan | Jordan | IGCH 1482 |
| Kition (Euagoras I) | 50 | Turkey | Cilicia | IGCH 1260 |
| Lapethos | 3 | Turkey | Cilicia | IGCH 1255 |
| | 1 | Jordan | Jordan | IGCH 1482 |
| | 5 | Egypt | Asyut | IGCH 1644 |
| | 1 | Turkey | Celenderis | CH 8.100 |
| Lapethos (Demonikos) | 2 | Turkey | Asia Minor | IGCH 1261 |
| Paphos | 1 | Turkey | Asia Minor | IGCH 1252 |
| | 1 | Turkey | Cilicia | IGCH 1255 |
| | 4 | Jordan | Jordan | IGCH 1482 |
| | 1 | Egypt | Memphis | IGCH 1643 |
| | 3 | Egypt | Asyut | IGCH 1644 |
| | 1 | Egypt | Fayum | IGCH 1646 |
| | 1 | Egypt | Fayum | IGCH 1646 |

| | | | | |
|--|----|-------------|------------------|-----------|
| Paphos (Timocharis) Salamis | 1 | Iran | Persepolis | IGCH 1789 |
| | 2 | Afghanistan | Balkh | IGCH 1820 |
| | 3 | Afghanistan | Cabul | IGCH 1830 |
| | 2 | Turkey | Black Sea | CH 1.15 |
| | 1 | Lebanon | Antilebanon | CH 8.45 |
| | 8 | Turkey | Southern Cilicia | CH 8.91 |
| | 5 | Turkey | Asia Minor | IGCH 1199 |
| | 2 | Turkey | Asia Minor | IGCH 1252 |
| | 1 | Turkey | Cilicia | IGCH 1255 |
| | 2 | Turkey | Cilicia | IGCH 1259 |
| Salamis (Euagoras) | 10 | Turkey | Cilicia | IGCH 1263 |
| | 5 | Jordan | Jordan | IGCH 1482 |
| | 2 | Lebanon | Masyaf | IGCH 1483 |
| | 4 | Egypt | Demanhur | IGCH 1637 |
| | 1 | Egypt | Delta | IGCH 1638 |
| | 16 | Egypt | Asyut | IGCH 1644 |
| | 1 | Egypt | Zigazag | IGCH 1645 |
| | 2 | Egypt | Fayum | IGCH 1646 |
| | 1 | Iran | Malayer | IGCH 1790 |
| | 1 | Iran | Pasargadae | IGCH 1794 |
| Salamis (Euanthes) Salamis (Euelthon) | 1 | Syria | Syria | CH 7.12 |
| | 14 | Turkey | Asia Minor | CH 8.19 |
| | 1 | Lebanon | Antilebanon | CH 8.45 |
| | 1 | Egypt | Egypt | CH 8.57 |
| | 2 | Turkey | Celenderis | CH 8.100 |
| | 1 | Greece | Phaestus | IGCH 152 |
| | 50 | Turkey | Cilicia | IGCH 1260 |
| | 53 | Turkey | Cilicia | CH 2.36 |
| | 1 | Turkey | Southern Cilicia | CH 8.91 |
| | 3 | Turkey | Cilicia | CH 8.165 |
| Salamis (Nikodamos) Soli | 1 | Afghanistan | Cabul | IGCH 1830 |
| | 2 | Iraq | Mesopotamia | IGCH 1747 |
| | 1 | Egypt | Egypt | CH 1.7 |
| | 1 | Egypt | Egypt | CH 2.10 |
| | 1 | Afghanistan | Balkh | IGCH 1820 |
| | 1 | Greece | Rhodes | IGCH 1185 |
| | 1 | Turkey | Asia Minor | IGCH 1252 |
| | 3 | Turkey | Asia Minor | IGCH 1182 |
| | 3 | Turkey | Asia Minor | IGCH 1252 |
| | 1 | Turkey | Cilicia | IGCH 1255 |
| Unidentified Cypriot | 6 | Syria | Ras Shamra | IGCH 1478 |
| | 2 | Jordan | Jordan | IGCH 1482 |
| | 1 | Egypt | Mit Rahineh | IGCH 1636 |
| | 9 | Egypt | Demanhur | IGCH 1637 |
| | 4 | Egypt | Benha el Asl | IGCH 1640 |
| | 1 | Egypt | Memphis | IGCH 1643 |
| | 10 | Egypt | Asyut | IGCH 1644 |
| | 3 | Egypt | Demanhur | IGCH 1654 |
| | 1 | Iran | Persepolis | IGCH 1789 |

| | | | | |
|-------|-----|--------|----------------|---------|
| | 1 | Turkey | South Anatolia | CH 1.4 |
| | 16 | Egypt | Asyut | CH 2.17 |
| | 6 | Turkey | Asia Minor | CH 8.19 |
| TOTAL | 389 | | | |

Cypriot Coins of the Hellenistic Period

The Hellenistic hoard material (especially that involving the popular types of Alexander the Great) goes even further to illustrate the inaccuracy of the claims regarding the supposed non-circulation of Cypriot coins off the island. Table 2 shows an even wider dispersal of the coins in southeastern Europe, the Middle East, North Africa, and Central Asia. Now the territories of some 13, rather than the previous 8, modern sovereign states are involved. The number of different hoards and the number of coins has also increased dramatically. Now, we have evidence for some 560 individual pieces. Again, the data derives only from the *Inventory of Greek Coin Hoards* and the *Coin Hoards* series. The numbers are almost certainly higher in reality as the table does not (and cannot) take into account unpublished private finds, unpublished find records from archaeological sites, or hoard material that was not recorded prior to sale.

Surely the substantial hoard evidence can only be taken as a clear indication of the wide circulation of Cypriot Alexander coins and to a lesser extent, the Ptolemaic coinages struck in Cyprus. A recent study has also made a very strong case for attributing a Ptolemaic coinage formerly thought to be a trade coinage of the northern Phoenician city of Aradus to Salamis under Ptolemy V and Ptolemy VI.⁴ These coins occur primarily in hoards buried in Syria, Lebanon, and Israel, but stylistic and technical considerations, as well as 2 hoards have long indicated connection to the mint of Salamis.⁵ In contrast with the 2 Cypriot finds of these Ptolemaic coins, 11 hoards have been uncovered in other countries. In other words, these Cypriot coins are actually more common in territories of other modern states than in the Republic of Cyprus, thanks to their use as payment to the crewmen of the Ptolemaic fleet, many of whom hailed from cities on the Levantine coast.

Table 2: Hellenistic Cypriot Coin finds outside of Cyprus

| | | | | |
|----------------------|----|--------|----------------------|-----------|
| Amathos (Alexanders) | 1 | Greece | Ponto-Leibade-Kilkis | IGCH 445 |
| | 1 | Turkey | Gordium | IGCH 1406 |
| | 1 | Turkey | Asia Minor | IGCH 1439 |
| | 10 | Syria | Aleppo | IGCH 1516 |
| | 32 | Egypt | Demanhur | IGCH 1664 |
| | 1 | Egypt | Egypt | IGCH 1668 |
| | 1 | Egypt | Phacous | IGCH 1678 |
| | 1 | Iran | Pasargadae | IGCH 1795 |
| | 1 | Greece | Central Greece | IGCH 81 |
| Kition (Alexanders) | 1 | Greece | Andritsaena | IGCH 83 |
| | 1 | Greece | Aegina | IGCH 143 |
| | 1 | Greece | Kiouleler | IGCH 144 |
| | | | | |

⁴ C. Lorber, "The Ptolemaic Era Coinage Revisited," *NC* 167 (2007): 105-117.

⁵ O. Mørholm, "Ptolemaic 'Coins of an Uncertain Era,'" *NNA* (1975-1976): 52.

| | | | | |
|------------------------------|-----|---------------|----------------------|-----------|
| | 1 | Greece | Gravena | IGCH 148 |
| | 1 | Greece | Corinth | IGCH 187 |
| | 1 | Greece | Myriophyton | IGCH 432 |
| | 1 | Greece | Thessalonica | IGCH 444 |
| | 1 | Greece | Ponto-Leibade-Kilkis | IGCH 445 |
| | 3 | FYR Macedonia | Prilepec | IGCH 448 |
| | 1 | Turkey | Manissa | IGCH 1293 |
| | 2 | Turkey | Kizakli | IGCH 1369 |
| | 2 | Turkey | Ankara | IGCH 1399 |
| | 3 | Turkey | Asia Minor | IGCH 1436 |
| | 7 | Turkey | Asia Minor | IGCH 1438 |
| | 1 | Turkey | Asia Minor | IGCH 1439 |
| | 1 | Turkey | Asia Minor | IGCH 1442 |
| | 1 | Lebanon | Beirut | IGCH 1500 |
| | 1 | Israel | Khirbet el-Kerak | IGCH 1510 |
| | 1 | Syria | Sfire | IGCH 1511 |
| | 1 | Syria | Baalbek | IGCH 1512 |
| | 23 | Syria | Aleppo | IGCH 1516 |
| | 2 | Israel | Galilee | IGCH 1520 |
| | 122 | Egypt | Demanhur | IGCH 1664 |
| | 2 | Egypt | Egypt | IGCH 1665 |
| | 2 | Egypt | Abu Hommos | IGCH 1667 |
| | 3 | Egypt | Egypt | IGCH 1668 |
| | 2 | Egypt | Egypt | IGCH 1669 |
| | 10 | Egypt | Phacous | IGCH 1678 |
| | 6 | Turkey | Akcakale | CH 10.251 |
| Kition (Ptolemaic) | 2 | Egypt | Benha | IGCH 1694 |
| | 1 | Egypt | Tell Nebesheh | IGCH 1709 |
| | 1 | Israel | Hebron | CH 7.109 |
| Marion (Alexanders) | 1 | Greece | Drama | IGCH 414 |
| | 1 | Turkey | Propontis | IGCH 888 |
| | 1 | Egypt | Demanhur | IGCH 1664 |
| Paphos (Alexanders) | 1 | Turkey | Armenak | IGCH 1423 |
| | 1 | Turkey | Asia Minor | IGCH 1436 |
| | 1 | Syria | Aleppo | IGCH 1516 |
| | 16 | Egypt | Demanhur | IGCH 1664 |
| Salamis (Alexanders/Philips) | 1 | Greece | Corinth | IGCH 77 |
| | 1 | Greece | Andritsaena | IGCH 83 |
| | 1 | Greece | Messene | IGCH 95 |
| | 1 | Greece | Kiouleler | IGCH 144 |
| | 1 | Greece | Gravena | IGCH 148 |
| | 1 | Greece | Thessalonica | IGCH 444 |
| | 1 | FYR Macedonia | Prilepec | IGCH 448 |
| | 1 | Serbia | Zemun | IGCH 458 |
| | 2 | Romania | Gildau | IGCH 774 |
| | 1 | Turkey | Manissa | IGCH 1293 |
| | 1 | Turkey | Izmit | IGCH 1365 |
| | 1 | Turkey | Asia Minor | IGCH 1368 |
| | 2 | Turkey | Kizakli | IGCH 1369 |

| | | | | |
|---------------------------------|-----|---------------|----------------|-----------|
| | 2 | Turkey | Ankara | IGCH 1399 |
| | 1 | Turkey | Mektepini | IGCH 1410 |
| | 5 | Turkey | Armenak | IGCH 1423 |
| | 1 | Turkey | Mersin | IGCH 1424 |
| | 4 | Turkey | Asia Minor | IGCH 1436 |
| | 2 | Turkey | Asia Minor | IGCH 1438 |
| | 4 | Turkey | Asia Minor | IGCH 1439 |
| | 10 | Turkey | Asia Minor | IGCH 1440 |
| | 10 | Turkey | Asia Minor | IGCH 1442 |
| | 12 | Syria | Aleppo | IGCH 1516 |
| | 2 | Israel | Galilee | IGCH 1520 |
| | 109 | Egypt | Demanhur | IGCH 1664 |
| | 3 | Egypt | Abu Hommos | IGCH 1667 |
| | 2 | Egypt | Egypt | IGCH 1669 |
| | 3 | Egypt | Phacous | IGCH 1678 |
| | 1 | Iraq | Mosul | IGCH 1756 |
| | 2 | Iraq | Babylonia | IGCH 1761 |
| | 1 | Turkey | Tell Halaf | IGCH 1763 |
| | 1 | Iraq | Mesopotamia | IGCH 1769 |
| | 2 | Bulgaria | Radomir | CH 10.46 |
| | 2 | Turkey | Karadeke Mevki | CH 10.245 |
| | 1 | Turkey | Akcakale | CH 10.251 |
| | 1 | Turkey | Antakya | CH 10.263 |
| Salamis (Demetrios Poliorketes) | 1 | Greece | Epidaurus | CH 7.64 |
| Salamis (Ptolemaic) | 1 | Egypt | Benha | IGCH 1694 |
| | 2 | Egypt | Asyut | IGCH 1702 |
| | 1 | Egypt | Tell Nebesheh | IGCH 1709 |
| | 5 | Israel | Hebron | CH 7.109 |
| Soli (Alexanders) | 3 | Egypt | Demanhur | IGCH 1664 |
| Uncertain Cypriot (Alexanders) | 4 | FYR Macedonia | Paeonia | IGCH 410 |
| | 6 | Ukraine | Anadol | IGCH 866 |
| | 5 | Turkey | Asia Minor | IGCH 1442 |
| | 12 | Egypt | Kuft | IGCH 1670 |
| Uncertain Cypriot (Ptolemaic) | 5 | Syria | Dniye | IGCH 1538 |
| | 17 | Lebanon | Khan el-Abde | IGCH 1597 |
| | 2 | Egypt | Phacous | IGCH 1678 |
| TOTAL | 560 | | | |

Roman Provincial Coins

Only in the case of the almost exclusively bronze coinage produced in Cyprus under the Roman Empire can the statements of Dr. Rose be taken as reasonably correct. It is difficult to argue against the generally parochial nature of Cypriot bronze civic coins. These do not appear in the published archaeological find record—such as it is—outside of Cyprus and we probably should not expect to find many off the island, given the general tendency of ancient bronze coins not to travel far from their place of issue. Nevertheless, one may easily cite examples of bronze coins travelling in quantity from

one locale to another through the agency of troop movements.⁶ A recent statistical analysis of published site finds has also shown that foreign coins account for more than a quarter of the finds at archaeological sites.⁷ It is also worth underlining the point made earlier, that find reports are severely under published, thereby making it difficult to draw firm conclusions about the presence or absence of Roman Cypriot finds from particular sites.

Although provincial coin types related to the local cults of Cyprus are not difficult to identify as they usually feature the temple of Aphrodite Palaipaphos and the image of Zeus Salaminios, there is dispute about the identification of several other coin series as true Cypriot issues. For example, capricorn/scorpio bronzes of the Augustan period have been variously attributed to Cyprus, Galatia, or (least likely) to the kingdom of Commagene.⁸ Likewise, a silver tetradrachm of Caracalla on the "Syrian tetradrachm" model has been tentatively attributed to Cyprus despite the fact that none have ever been found in excavations on the island, but they do occur in Israel.⁹ (It should go without saying that to include such coins in a Cypriot MOU would be completely outrageous since the rationale for the MOU in the first place is the false claim that Cypriot coins did not generally leave the island.) Lastly, the bronze coins of Elagabalus and Severus Alexander marked DE, have occasionally been attributed to Cyprus, although most scholars would now make them Syrian issues, probably of Laodicea.¹⁰ How can these coins be considered for inclusion in the MOU without potentially infringing on the potential interests of Turkey, Syria, and Israel?

Conclusion

When the actual published evidence is applied to the question of Cypriot coin circulation in antiquity, it is very clear that the statements of Dr. Rose do not stand up. Therefore they must be rejected as misleading and should cease to influence the opinions of the American public and especially its government regulators. It would be a gross injustice if the influence of this demonstrably erroneous position were to continue further, now that we are in the second round of discussion regarding the Cypriot MOU.

⁶ For example, the Peloponnesian and Pontic coins that traveled to Syria with the Roman legions dispatched for war on the Parthian frontier. Similarly coins from Asia Minor and Syrian mints made their way to Europe when troops returned. See C. Howgego, *Greek Imperial Countermarks* (London, 1985), pp. 25-28.

⁷ F. de Callatay, "Greek Coins from Archaeological Excavations: A Conspectus of Conspectuses and a Call for Chronological Tables," in P. van Alfen (ed.), *Agoranomia: Studies in Money and Exchange Presented to John H. Kroll* (New York, 2006), pp. 184-185.

⁸ D. Parks, *The Roman Coinage of Cyprus* (Nicosia, 2004), p. 50-5.

⁹ Parks (2004), pp. 127-130.

¹⁰ Parks (2004), pp. 132-134.