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United Nations
Interregional Crime and Justice
Research Institute

Cultural Heritage Smuggling and the Nexus with Terrorism



Cultural Heritage Smuggling and the Nexus with Terrorism

About UNICRI

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Working within the broad scope of its mandate to design and implement improved policies and actions in the field of crime prevention and control, the mission of UNICRI is to advance justice, crime prevention, security and the rule of law in support of peace, human rights and sustainable development.

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List of Acronyms

- * **ANF** – Al Nusra Front
- * **AQI** – Al-Qaeda in Iraq
- * **AQIM** - Al-Qaeda in Islamic Maghreb
- * **FARC** – Fuerzas Armadas Revolucionarias de Colombia
- * **FATF** – Financial Action Task Force
- * **GCTF** – Global Counterterrorism Forum
- * **HTS** – Hayat Tahrir al Sham
- * **INTERPOL** - International Criminal Police Organization
- * **IAEA** – International Atomic Energy Agency
- * **ISI** – Islamic State of Iraq
- * **ISGS** – Islamic State in the Greater Sahara
- * **ISIL (Da’esh)** – Islamic State of Iraq and the Levant
- * **ISWAP** – Islamic State West African Province
- * **JNIM** – Jama’at Nasr al Islam
- * **NGO** – Non-Governmental Organization
- * **UNESCO** – United Nations Educational, Scientific and Cultural Organization
- * **UNICRI** – United Nations Interregional Crime and Justice Research Institute
- * **UNIDROIT** – International Institute for the Unification of Private Law
- * **UNSC** – United Nations Security Council
- * **UNSCR** – United Nations Security Council Resolution



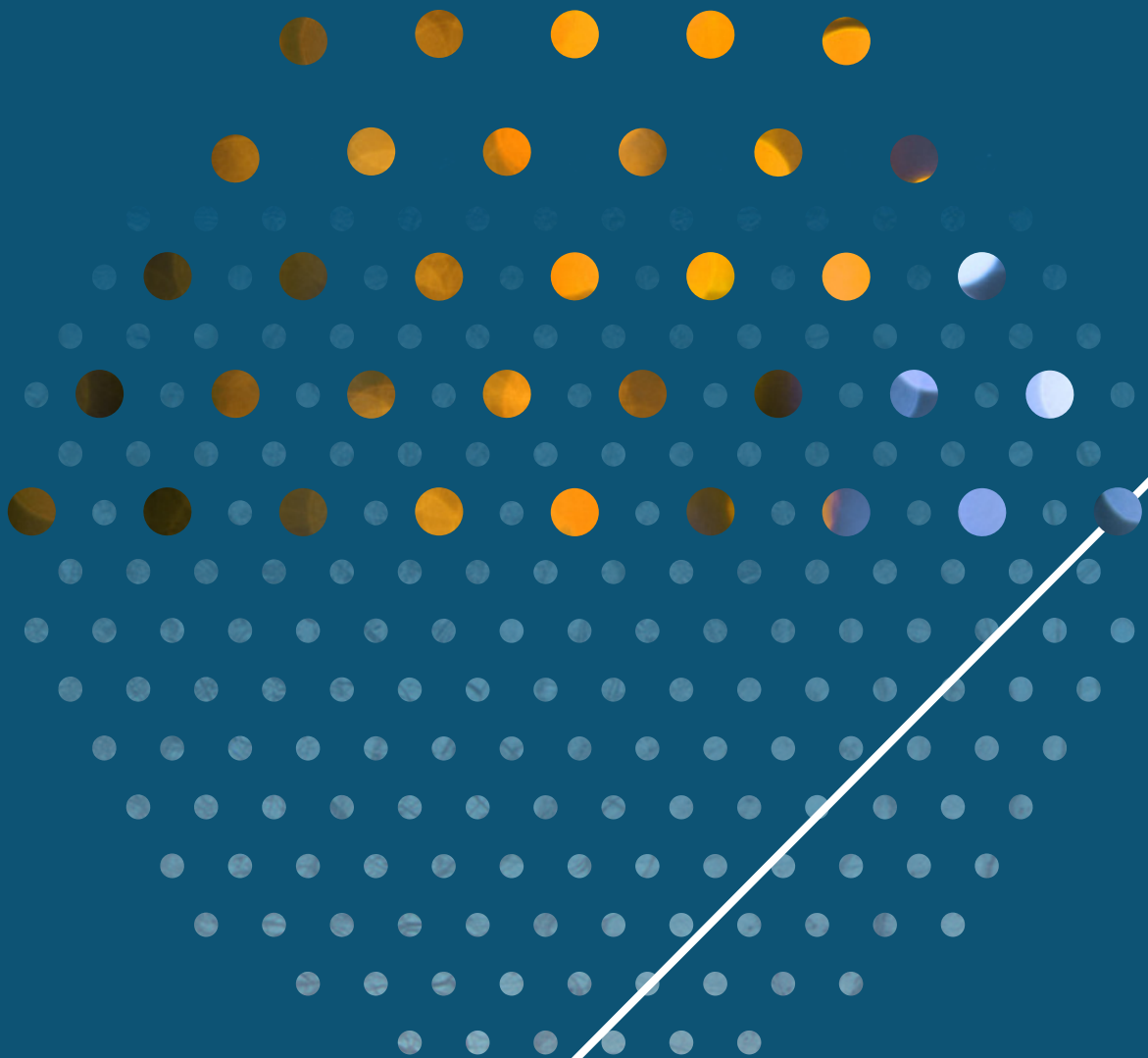
Certain groups mentioned within this report are not listed by the United Nations as terrorist organizations, however, their use of terrorist tactics and their designation by some Member States warrants mention in this report. In some jurisdictions different groups are designated as terrorists, whilst in others, the same groups are not considered as such. To ensure that this is taken into account, this report does not seek to enter the debate of which organizations are listed as terrorist or not internationally. The scope is to bring to the forefront where cultural heritage smuggling is used by groups whose modus operandi and goals include terror and terrorist-like tactics.

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01

Introduction



I.I Executive Summary

This report examines the context involving cultural heritage smuggling (focusing on antiquities) with an emphasis on the nexus with terrorism, since terrorist and insurgent groups are known for taking advantage of profitable illegal markets and the consequent revenue obtained from them to advance their aims.

Three key points underscore the gravity of antiquities smuggling and cultural heritage destruction which will not be discussed in detail in this report but must be considered. First, this issue of cultural heritage smuggling spans millennia, from the time of ancient empires to the colonial era, when looting treasures was rampant across continents, including Africa, Asia and Latin America. Second, financial gain is not the only goal of smuggling and the destruction of cultural heritage; although financially lucrative, militant groups also use these acts to assert political control by erasing symbols of identity. Finally, the perpetrators of these crimes are not always insurgent groups; as history reveals a broader, more pervasive threat involving multiple actors.¹

Cultural properties providing reliable sources of revenue for non-state armed groups were first detected in the early 1980s. From drug trafficking organizations and insurgent groups in Latin America, to warlords in Africa and Afghanistan, cultural property was traded in exchange for weapons and laundering dirty money. The general instability across continents and intrastate wars in the following decades in North Africa, South America, Southeast Asia and the Middle East, spurred the illegal trade and enabled regional smuggling networks to rise and strengthen. Some of these networks established especially in the Middle East, North Africa, and Southeast Asia would grow and profit not only from cultural artefacts but also from arms, drugs, humans and contraband goods, etc.

At the turn of the 21st century, especially in Iraq from 2003 onwards, the supply of antiquities, both stolen and illegally excavated, boomed following a round of mass looting in the country. A decade later, with the rise of the Islamic State of Iraq and the Levant (ISIL) - also known as Da'esh - and the continuous expansion of its affiliates across the Middle East and Africa, as well as those of Al-Qaeda, the practice of looting for terrorism financing became more commonplace. Since 2017, the United Nations Security Council (UNSC)'s Analytical and Sanctions Monitoring Team has been producing reports twice a year concerning the terrorist and criminal activities of Al-Qaeda, ISIL (Da'esh) and their associated individuals, groups and entities, with a dedicated section on cultural heritage, including the nexus on smuggling and terrorism. Apart from Al-Qaeda, ISIL (Da'esh), and their affiliates, other groups like the Lebanese Hezbollah and rebel and terrorist groups

in Cambodia, Colombia, Libya, Mali, Niger, Somalia, and elsewhere have also profited from cultural heritage smuggling. Despite the amount of intelligence gathered on terrorist financing from this type of goods, it has been increasingly difficult to prove in legal courts since there is inadequate knowledge or information to assess the frequency, scale or flow of these illicit transactions and their subsequent link to terrorism financing – preserving the legal chain of custody; apart from ISIL (Da'esh)'s exploitation of the antiquities trade for its funding, which is swarmed with hard evidence.

Consequently, there are still several unresolved challenges to countering the illegal trade of antiquities. The first challenge is understanding and assessing the size of the market and all its dynamics. Legal aspects, political views, and economic factors prevent a comprehensive assessment of the illegal trade's scale and significance if compared to the contraband of other goods such as firearms, oil, medicine, or illicit substances such as narcotics whose scale, scope, and implications are much better understood. Despite efforts to standardize norms to counter cultural heritage smuggling, there are still many variances. Therefore, an object whose sale is considered illegal in a given country, may not be considered so in another; and there is no legal body that is fully capable of solving disputes of legal transfer.

The smuggling routes of antiquities at times overlap with existing routes for trafficking arms, drugs, and humans in regions like North and West Africa, Latin America, Southeast Asia and the Middle East. The online market is also active regarding cultural property items, with trade taking place on social media channels, eBay, online auctions, and more. Unlike illicit drugs and weapons which are advertised on the dark web, cultural artefacts are generally traded on the surface web and publicly noticeable channels at all stages of the supply chain. Furthermore, while illicit drugs and weapons are sold on the black market and the dark web to people who know they are breaking the law, looted/stolen cultural goods by contrast are often sold to customers who are not aware of their illicit origins. A relatively large number of people purchase cultural goods without any accompanying documentation; indeed, oftentimes buyers are not aware that such transactions should be followed by a document ascertaining the origin of an artefact.

The smuggling of cultural goods – especially antiquities – usually comprises a chain of middlemen, storage facilities, forgers, and others within the different steps of the supply chain. It not only involves individuals who dig or steal artefacts to sell, but also encompasses highly organized mafia-style groups. A considerable part of smuggled artefacts remain in hiding for long periods – sometimes even years – before being commercialized and reappearing on the international market. The largest markets are the USA and European States, while Iran, Turkey, the States on the Arabian Peninsula, China, and South Asia are involved to a lesser extent.

Therefore, it is paramount that governments, Non-Governmental Organization (NGOs) and academia should enhance cultural awareness-raising programmes that engage local communities and encourage their greater involvement in protecting and preserving their culture and history. Additionally, to improve the quality of investigations that target the illicit trade, Member States that are worst affected by the looting and illicit trade in antiquities should enhance cooperation and collaboration. This includes creating a cross-disciplinary network of experts that involves multilateral organizations, law enforcement agencies, prosecutors' offices, the judicial system, cultural authorities, and academic experts, among other stakeholders. For instance, UNICRI and the International Atomic Energy Agency (IAEA) have expanded their joint efforts on the use of nuclear science to curb the illicit trafficking of cultural objects, by devising the creation and operation of an integrated platform that will assist Member States to detect looted and fake artefacts through nuclear analytical techniques and thus support them in investigating and prosecuting different forms of illegal trade and forgeries more accurately and efficiently.

Moreover, collaboration between the public and private sectors is essential, especially in the destination countries where the artefacts ultimately end up. As for government officials in the destination countries, government leaders, politicians, and other leaders should be able to assess the level of damage, threat, and impact of this criminal market on their countries, despite not being the looted country. Additionally, governments should seek to strengthen their information gathering and analysis aimed at developing comprehensive statistics on the illicit antiquities trade given that source, transit, and destination countries should be able to work together. The first step should be to establish bilateral or multilateral agreements and/or treaties that enable closer collaboration and joint investigative work. Finally, to better tackle the challenge, it is vital to obtain better knowledge of the links between transnational organized crime and terrorism (crime-terror nexus) in the illicit antiquities trade. Further academic research is needed to enhance understanding of the dynamics and threats posed by funding terrorist organizations through illicit trade in antiquities.

1.2 Scope of the Report

The objective of this report is to first provide an overview of cultural heritage smuggling across the world, and second to show its intersection with organized crime and terrorism facilitation and financing. Although cultural heritage is a broad concept that, according to the UNESCO definition, includes artefacts, monuments, buildings, sites, and museums, tangible or intangible assets that hold a diversity of values² that communicate the way of living of a given community and people, this research focuses specifically on antiquities.

The report, therefore, does not intend to cover all types of cultural heritage smuggling or seek to exhaust the smuggling routes, regions, countries, and *modus operandi* of criminals worldwide. This paper explores how the smuggling of antiquities is a widespread practice that cuts across all regions of the globe and poses increasing challenges to government authorities to tackle this type of transnational crime. Thus, the report briefly examines the international market and its dynamics, while assessing some of the most pressing gaps and breaches in the international regulatory setting involving trade, documentation, international ownership disputes, and academic discussions over ethics in cultural heritage markets, despite international efforts aimed at the standardization of the norms and regulations.

Simultaneously, the report briefly explores the various connections between organized crime, terrorism financing, and the antiquities market, showing that such a profitable market is indeed exploited by transnational criminal organizations to fund other criminal enterprises or launder money illegally obtained from other criminal activities. Terrorist and insurgent groups, particularly those based in countries where they can loot/rob/dig antiquities from the areas they control, have figured how to generate funding by engaging in the illicit cultural heritage market. Accordingly, this study presents examples that illustrate the diverse manifestations of the crime-terror nexus involving the antiquities market and different terrorist and criminal organizations across continents.

The objectives mentioned above are relevant because they may impact policies and actions in the fight against the smuggling of antiquities and its interface with terrorism and organized crime. Therefore, it is necessary to delve deep into the topic and explore ways to develop a more effective state response. This entails adopting a more comprehensive approach to countering the threats posed by the antiquities trade and organized crime.

1.3 Note on Methodology

The initial phase of this research involved examining the subject from a historical perspective, highlighting events, processes, and institutions that contribute to understanding the evolution of the antiquities trade. A thorough review of primary and secondary sources, such as books, articles, reports by the UN and other organizations, narratives, and media content, was also conducted to explore the existing literature on the antiquities trade and its intersection with crime.

In addition to assessing existing academic research, the data collection methodology entailed analysing various primary sources. These sources include first-person reports, official reports that shed light on the convergence of the antiquities trade and criminal activities carried out by criminal and terrorist groups (when declassified and available for research), declassified material, and interviews with key stakeholders. These include law enforcement officers, judges, prosecutors, military personnel, intelligence officers, experts, representatives from NGOs, think tanks and other professionals. Whenever possible, individuals directly involved with terrorist and criminal groups were also interviewed. Some of the interviewees' identities had to be anonymized due to confidentiality and security concerns. The interviews conducted for this research employed semi-structured or unstructured formats to encourage open and uninhibited discussions.

These interviews aimed to illustrate specific arguments and/or complement other research methods used in this report. They served as supplementary verification material, particularly for the cases described in the report. The interviews helped to validate certain points and enrich the study. Questions posed to interviewees were tailored to the cases, issues, or events they had participated in or witnessed.

1.4 Core Concepts

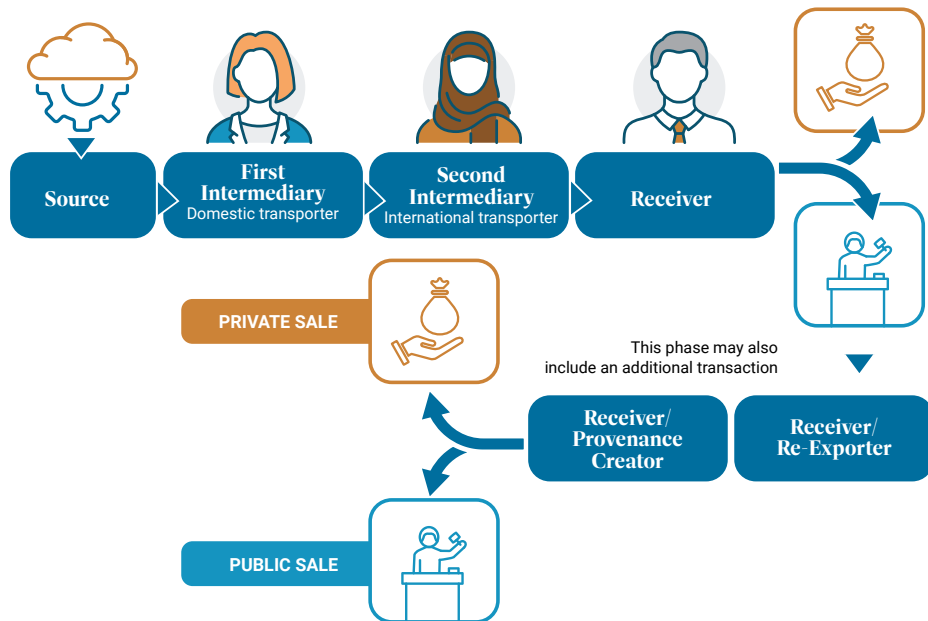
1.4.1 Cultural Heritage Smuggling Concepts

The cultural heritage market is driven by the concepts of supply and demand in a market that straddles both legal and illegal fields. Technically speaking, acquiring an antiquity does not mean 'illicit', as we have mentioned before, since the legality of the trade focuses on how the artefact is obtained. The ambiguity of this market lies in the fact that many antiquities are considered licit even though their provenance is obscure, simply because they have been on the market for long periods or were looted during the colonial era and thus the passage of time has rendered them 'legal'.³ This section aims to show the concepts of supply and demand in the illegal trade by presenting the usual flow of illicit antiquities, from the looter to the final buyer.

The demand for antiquities usually comes from an upscale sector of collectors (either individuals or institutions) generally based in wealthier and more stable countries. On the other hand, the supply of cultural heritage - especially antiquities - is commonly sourced in developing states which are usually less secure and stable than the demanding states. This equation also has the component of 'illegality' in which the cultural artefacts move in violation of the law in either the supply state, or the demand state, or both. The buyers of cultural heritage goods can afford a price, which is enough to foster looters and smugglers to risk violating the law in their own countries. These dynamics of supply and demand appear simplistic. Nonetheless, they are an intricate network of social, economic, and political components that integrate into a fluid system that has perpetuated both the legal and the illegal market, while enabling the growth of illicit trade. Consequently, these dynamics influence how the various actors fine-tune their participation in the black market, how the routes and the different smuggling phases innovate, and impact how countries and the international community manage policymaking to counter the illicit trade.⁴

As the artefacts exchange hands in the trading chain, they undergo a series of obscure negotiations and transformations; at every step of the chain, the artefact is subjected to degrees of cleansing to transform it from a looted/contraband object into a commodity ready for a "legal" sale, which becomes at this point a collectable object of ornamental/historic significance. Unlike illicit commodities such as drugs, which criminals cannot transform into legal products to deceive authorities, cultural artefacts can be transformed and passed off as licit items. To make the illegal antiquities market comprehensible and provide some context, in the following paragraphs we will show how each step of the chain works and the respective actors involved.

A possible scenario for the illicit flow of cultural property



ACTORS



► Figure 1: Illicit antiquities flow. Source: UNESCO.

Looting may have different meanings, e.g.: when an object is excavated outside the proper archeological excavation methods, or properly excavated but by people who are not officially accredited as archeologists, or when it is extracted in violation of local laws or policies. For the purpose of this report, looting is defined as the act of taking/excavating/digging an antiquity, with the primary objective of extracting the artefact for financial gain in violation of the law or local policies.

As said before, source countries tend to be less developed and have a lower income compared to the countries that antiquities are marketed in (destination countries). Additionally, according to experts, even in richer source countries, which are also destination countries, the archeological sites are usually located in less developed areas. Thus, looters in source countries are generally poor and vulnerable, hence they engage in illicit activity

to provide for their families. Consequently, they are often dubbed as 'subsistence diggers'. Similarly, there are other 'subsistence diggers' from indigenous populations who believe that the antiquities they are looting belong to them as they see themselves as the legitimate heirs of their culture and of the antiquities their ancestors produced; which are to be excavated and used by later generations; hence ripe for exploitation. This practice and belief are easily observed among Latin American native populations.⁵

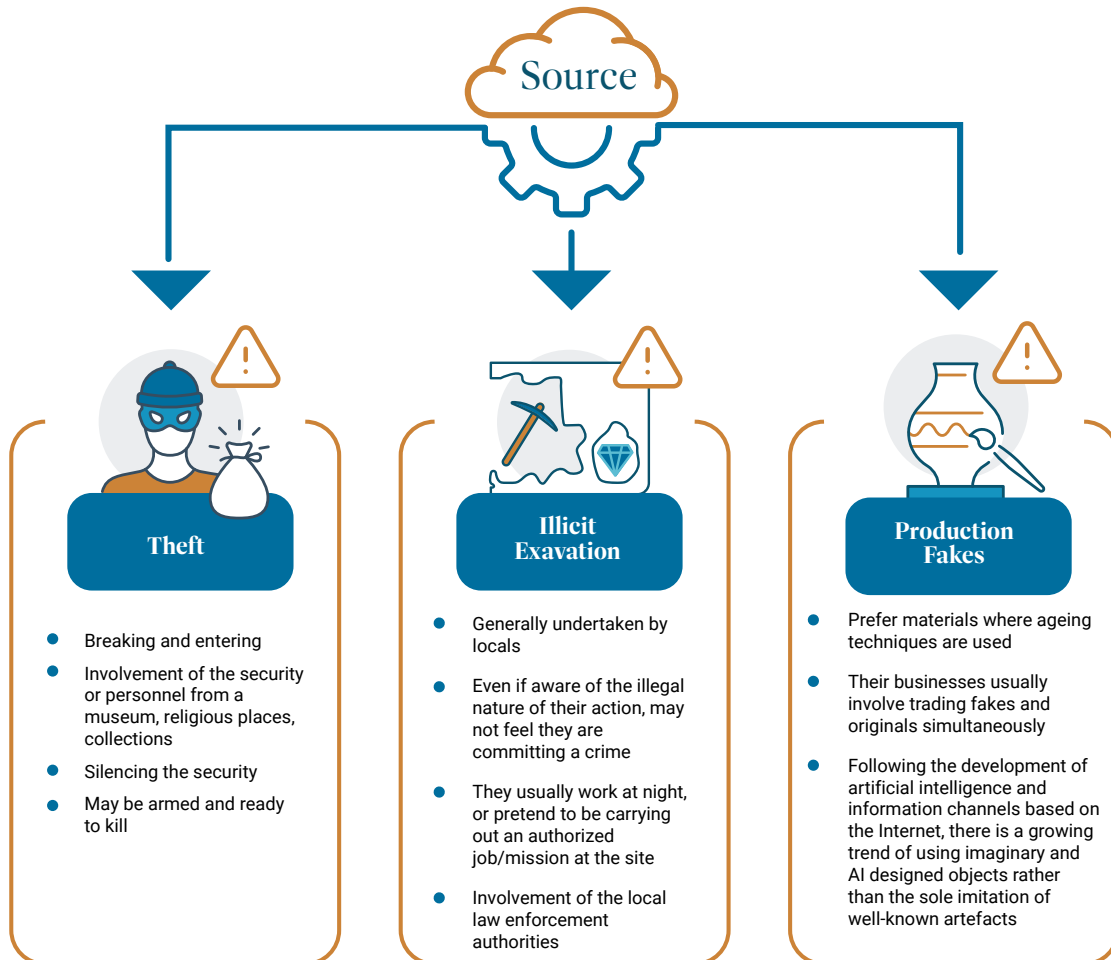
Apamea, Syria looting expansion between years 2011 and 2014



► Figure 2: Looting of Apamea, Syria. Source: Google Earth.

Looters, as seen above, locate and physically dig/extract the artefacts from their original location. They usually profit less, considering the artefact's final market value. Within the source country, looters sell the antiquity to someone who then moves it somewhere to be commercialized. These middlemen are called 'brokers', who are not only present at this early stage, but also at other phases later in the chain. Thus, under the banner of what it is to be a broker are the dealers and the transporters; some brokers do both, while others perform either one. The early-stage brokers are responsible for securing, negotiating and moving the items from the site of looting to the first sales point. These brokers may be people who are known in a given region or area where they run small antiquities businesses or have an antiquities stall at a market or a local shop. They are usually dependable professionals who might also oversee looting operations in specific target areas. Brokers set and develop the smuggling routes of antiquities out of the source country, organizing the logistics of transport, warehouses, and roads to be taken, as well as bribes needed along the way. They move the objects across international borders while maneuvering around checks and controls related to the import and export of the goods. Some of them are proficient in manufacturing false documentation, thus capable of providing all the forged official papers required to move antiquities both locally and internationally. Once the antiquity is out of the country of origin, other brokers usually enter the smuggling enterprise to negotiate and to move the artefacts from the initial brokers to their destination.⁶

The most likely origins of illicit antiquities



► Figure 3: Origins of Illicit Antiquities. Source: UNESCO.

Another indispensable figure within the smuggling operation is the facilitator, who is needed both within the source countries and throughout the transit phase of the scheme until the antiquity reaches its final destination. The facilitators are not involved in the physical extraction or movement of the antiquities through the entire supply chain, but their actions or inactions allow the smuggling and the criminal enterprise to work fluidly. By being negligent or corrupt, they ease the transit of the antiquities from source to market. These comprise government employees or private sector workers whose role usually involves guarding, conservation, maintenance, protection, and custody of artefacts, among other functions. Examples include the police, government workers in national/state/municipal parks or protected areas, museum staff, local politicians, guards at archeological sites, customs agents, airport and port officers, inspectors, and migration officers. Their job in the criminal chain is to 'look the other way' while sites are looted or robbed, artefacts go through inspection channels, and negotiations take place, among other actions. They also influence and coopt other possible facilitators needed to move the antiquities along the supply chain.⁷

Brokers and facilitators work together to ensure that the antiquities move from the extraction area to the final sale. Along this process, the artefacts undergo a transformation in which a contraband object becomes a cultural commodity and is gradually disconnected from its original context. The further the objects move from their source (where they were looted/stolen), the harder it is to prove their illicit origin and the more obscure they become since they undergo cleansing and enter a vast grey market of elite dealers and private/public spaces whose cultural and social gap from the source is abysmal. This step is usually called the 'transit phase' and it is the least visible phase since – historically – the networks have been poorly investigated and thus remain mostly obscure. There are notable exceptions, for instance the cases of ISIL (Da'esh)'s financing through antiquities smuggling in Iraq and Syria whose networks became well-known after being investigated. Another one refers to smuggling networks based in Thailand and Cambodia which were meticulously mapped due to enduring partnerships between governments, NGOs and the private sector.⁸

The market for antiquities is not something new. From conquerors collecting magnificent pieces that originated in ancient Greece, Rome, and West Asia to colonizers gathering splendid art from Africa, South Asia, and Latin America during colonial times, the booming destination market has gradually fostered the expansion of auction houses and other trading venues globally. The market first grew across Europe and the USA and has more recently become increasingly international with buyers located in the Gulf region, East Asia, and Latin America. The breadth of the market encompasses both grandiose antique pieces and less impressive artefacts with lower prices that are affordable for ordinary people, mostly online or at street stalls in source countries. Consequently, cheap antiquities are sold at low cost to online customers, reflecting how modern and dynamic the market has become.

Buyers of antiquities range from those who acquire one or two artefacts for various reasons (spirituality, business investment, experiencing an art object, and interior décor), to genuine collectors with a penchant for gathering ancient pieces of art for display in their private museums. Antiquities are also acquired by public museums and galleries. In these cases, professional ethics require the institutions to be more careful in checking provenance and origin of antiquities, yet in reality, they sometimes fail to achieve an efficient level of due diligence to avoid purchasing illicit pieces, because of deception, negligence or indifference.

Even though the market has more recently become more diverse, and wealthy Europeans are no longer seen as the primary customers/buyers of antiquities, since internet sales have opened it to low-cost buyers across the globe, the bulk of the market, considering its total value in hard currency, still consists of well-off buyers nested in the higher end

of the scale, where there are the specialized private dealers who engage with the high-end customers. These dealers are connoisseurs who usually have a relationship with their customers and know their taste for antiquities as well as their collections and preferences. They can acquire antiquities from several sources and advertise them to an array of clients. Some of them operate in the grey zone or directly on the black market and trade antiquities that were sourced through illegitimate channels either by choice or lack of awareness. (Buying antiquities that they suspect were recently looted/stolen and/or purchasing them directly from looters and brokers in the source country).⁹

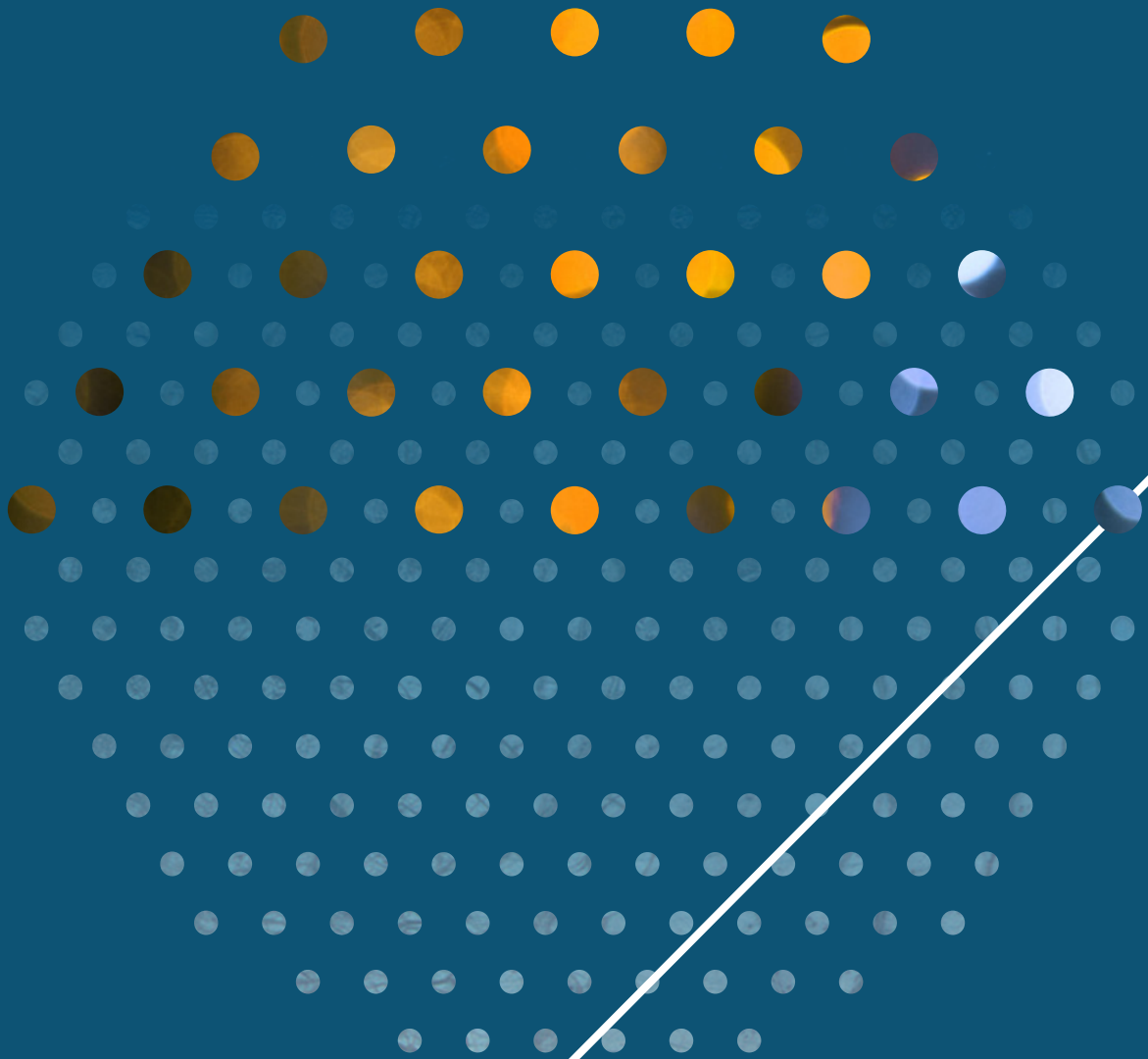
Some of these dealers have gone online in recent decades, offering their wares through digital storefronts, personal websites or social media channels. This is usually the case for lower-cost artefacts since the higher-end antiquities are still traditionally commercialized in physical shops as buyers generally prefer to have a sensory experience and to see, touch and smell objects when purchasing them. In these cases, the relationship of trust between the buyer and seller is still highly valued given that more expensive items also tend to be falsified for the inadvertent buyer. They are not prone to risk large amounts of money in objects sold on the internet from unknown dealers and obscure sources; the unknown source is not the main disincentive, but the risk of buying fake products makes experienced buyers averse to online markets.¹⁰

As mentioned before, antiquities can also be bought and sold through auction houses, either large multinational companies that deal with everything or regional and local ones that work only with antiquities and a specific segment of the market. Auction houses generally work as agents for their consignors or own the objects they auction. In the case of consignments, the artefacts are either sold by private sellers or antiquities dealers. Objects sold at auction houses are usually presented with scarce information and no clear ownership history. Since auction houses are the consignors of the object, they often argue that they are only agents, not owners when questioned about the legitimacy of the items they trade.¹¹

The antiquities destination market has an appealing and symbolic cultural status that has been a driving force for generations of collectors who look for the social benefits of collecting the past. An appreciation of the significance of this type of art, while rare, shows a maximized social value and thus supports an owner's social standing.

02

Cultural Heritage Smuggling: An Overview



The looting of antiquities and cultural artefacts is a broad and longstanding issue that spans throughout history. Many valuable cultural artefacts housed in museums and private collections around the world were acquired through practices that, by today's standards, would be considered unethical and illegal. The market for cultural goods, art, and antiquities - although difficult to measure - has always comprised diversified business models and a broad geographical reach.

During colonial times, war, and conquests, looting of art treasures and antiquities was a common practice. When victorious armies conquered foreign lands, they often plundered cultural and historical artefacts, bringing them back to their home countries as war booty. The Crusades, Napoleon's conquest of Egypt, and European colonial rule in the Americas, Africa, and Asia are a few instances of such practices. As a result of these historical events, numerous artefacts reached renowned Western art museums. Some of these institutions are now confronted with the ethical implications of holding and displaying objects acquired through looting and derived from colonial rule. Over the past three decades there have been ongoing discussions and debates about the repatriation of these artefacts to their countries of origin, where they have significant cultural and historical importance.

This is part of a global movement for the return to their countries of origin of historical, cultural and paleontological artefacts that were taken during the colonial period or even trafficked over the last few decades. In December 2022, Germany returned to Nigeria its collection of "Benin bronzes", looted in a British invasion in 1897. Between March and September 2022, US authorities seized Roman and Egyptian antiquities at the Metropolitan Museum of Art (the Met, in New York), after investigations revealed that they had been stolen; the museum had already returned a gold sarcophagus to Egypt in 2019. In July 2023, after a government committee recommended the "unconditional" return of looted cultural property, the Netherlands announced the return of nearly 500 artefacts to Indonesia and Sri Lanka, its former colonies in Asia. Also, after decades abroad (in Belgium, France and Germany), some items of important scientific and historical value to Brazil have returned while other objects are in the process for future restitution to where they were originally found: these include fossils of newly discovered species of dinosaurs and an indigenous mantle of red feathers over 300 years old, plus hundreds of indigenous artefacts.¹²

In response to the issues regarding looting and illicit trafficking of cultural artefacts, in the latter half of the 20th century, the international community passed various conventions to protect cultural property and tackle art theft and illegal trade. These conventions aimed to establish guidelines and regulations for the protection, preservation, and restitution of

cultural heritage. One of the most significant international conventions and agreements related to the protection of cultural property is the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, which was adopted to do as much. It outlines measures to safeguard cultural property from destruction, theft, and looting during wartime. Another significant international convention is the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property with the aim to prevent the illicit trade of cultural artefacts. It provides guidelines for countries to implement national laws and take measures to combat the illegal trafficking of cultural property. The 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention) addresses the preservation and safeguarding of both cultural and natural heritage of outstanding universal value. This document established the World Heritage List to identify and protect sites of global significance. The UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, adopted in 1995, discusses the necessary steps to facilitate the restitution of stolen or illegally exported cultural objects to their countries of origin.

These conventions have played a decisive role in raising awareness about the relevance of protecting cultural heritage and thus have encouraged international cooperation to counter art and antiquities theft and smuggling. They have provided a framework for countries to work together in preventing the illicit trade of cultural artefacts, as well as establishing guidelines for the repatriation of stolen or illegally acquired art and antiquities to their countries of origin. Despite these efforts, challenges remain, as some countries may lack the resources or infrastructure to protect and preserve their cultural heritage effectively. Moreover, legal and political complexities often surround the restitution of artefacts.

The illicit trade in antiquities is indeed an intricate and multidimensional issue that has an enduring impact on cultural heritage around the globe being a form of transnational crime that involves the looting of archaeological sites, the smuggling of antiquities across borders, and the sale of these artefacts to collectors and museums. In the case of antiquities, the gray market has encouraged the expansion of criminal supply lines infiltrated by organized crime. Thus, the illicit trade is often linked to organized crime groups who use it to launder money and fund other criminal activities; this is also a type of criminal activity exploited by terrorist organizations for funding purposes. Criminals and terrorists exploit the myriad of possibilities to launder money in this market by – for instance – concealing the identity of the genuine buyer, over or underestimating prices of items, and performing false sales or fake auctions, among other practices. Trade in art, antiquities, and other cultural objects is a multimillion dollar industry, although it is difficult to estimate

its precise value since much of the trade is conducted on the black market and the individual value of the items varies greatly, unlike in the trade of drugs and weapons, which usually have a well-known market value.¹³

This illicit business, unlike the drug and illegal weapons markets, is ensconced in both stores and street markets that are ubiquitous in the developed world. Dissimilar to drugs, cultural objects are sold openly since they can converge with the legal economy at various stages of the supply chain. However, the illegal market requires a range of actors to be in place for the easy flow of goods. Such actors include looters, sellers, middlemen, consumers, government officials, and especially complicit high-end art dealers - in the more developed world – who are indifferent to provenance and the disservice their participation in this illegal business may cause.¹⁴ The path through which antiquities and cultural objects move is designed to facilitate the transformation of these artefacts from illegally obtained objects to legitimate pieces. Several steps are taken to conceal the illicit origins of the objects. The first step in the process is the looting of archaeological sites/ theft from museums and galleries, followed by the sale of the artefacts to middlemen/brokers, who may be dealers, smugglers, or collectors. These middlemen/brokers then move the antiquities through a network of buyers and sellers, each of whom takes steps to further conceal the provenance of the illegal objects. As they move through the trafficking chain, they are often issued false documentation, such as fake export permits or bogus certificates of authenticity. In some cases, they are also cleaned or restored to make them appear more valuable. By the time the antiquities reach the final buyer, they may have been transformed beyond recognition. This process is designed to make it difficult to trace their illicit origins, therefore facilitating their acquisition without having to acknowledge that they were looted/stolen.¹⁵

As we can see in the above paragraphs, the illicit cultural artefacts market is generally of high-value due to several factors. First, cultural heritage artefacts are valuable commodities that can be easily transported and sold on the black market. Second, the demand for cultural objects is high, especially among wealthy collectors and investors. Third, their provenance can be difficult to trace, making it easier for criminals to sell stolen/looted artefacts.

Furthermore, cultural property smuggling is considered a high-grossing criminal trade globally, since the market is defined by the high value of individual objects that usually involve significant sums of money. As mentioned before, this is a high-end type of crime which caters for selected customers who are willing to pay high prices for a unique and prestigious piece. Moreover, the market for cultural objects is known for its peculiar characteristics of privacy and discretion, particularly concerning the identities of buyers and sellers.¹⁶

The culture of privacy and discretion in the cultural objects market is highly criticized because of its potential to facilitate illicit activities such as money laundering, tax evasion, trafficking, and terrorism financing, among others. The anonymity associated with cultural heritage transactions frequently presents challenges for authorities in tracing their provenance and ensuring that the artefacts have been acquired legally and ethically. Despite developments in recent years and the consequent increase in awareness and scrutiny by authorities, there is little transparency and accountability in this market which ultimately leads to adverse consequences, such as depriving countries of their cultural heritage (which is an important source of identity and pride), and damaging archeological sites, which can take a long and undetermined amount of time to rebuild (as can be seen with the archeological sites in Syria and Iraq that were plundered and destroyed in the last decade of conflict in the region). Trading cultural objects can also fuel conflict and instability in countries where constant looting and plundering of these artefacts is prevalent.¹⁷

It is common knowledge among experts that wealthy buyers of cultural goods often opt not to meticulously investigate the origin of the objects they collect, and some do not seem to mind if the proceeds from their purchases fund terrorism or insurgencies. Meanwhile, organized criminals and terrorists prefer to diversify their source of income in areas of high earnings and minor risk of detection, seizure, and loss of profit. They are rational and usually sharp players who understand markets and competition. In recent decades, organized criminals and terrorists have increasingly traded in commodities other than narcotics or other highly illegal items for a few reasons: first, less market saturation; second, little or inefficient regulation; third, reduced competition and; finally, very limited law enforcement focus. Therefore, they tend to concentrate on the least enforced forms of transnational crime, which simultaneously provide a large market of highly profitable perspectives.¹⁸

The phenomenon of cultural properties providing a reliable revenue source for non-state armed groups was first observed in the 1980s, particularly during conflicts in Latin America, parts of Africa, the Middle East, and Asia. That decade marked a notable turning point when the connection between cultural property smuggling and the funding for non-state armed groups began to attract attention from researchers, law enforcement agencies, and international organizations. Since then, this illicit practice has continued and evolved, with various armed groups in different regions exploiting the value of cultural heritage for funding purposes. The revenue generated from looting and selling antiquities has provided non-state armed groups and criminal organizations worldwide with financial resources to buy weapons, recruit fighters, and sustain their insurgency and terrorist activities. Cultural artefacts have also been exploited for money laundering purposes.

The illicit trade in antiquities offers a way to convert illicit funds into seemingly legitimate assets, making it difficult for authorities to trace the origins of the money.¹⁹

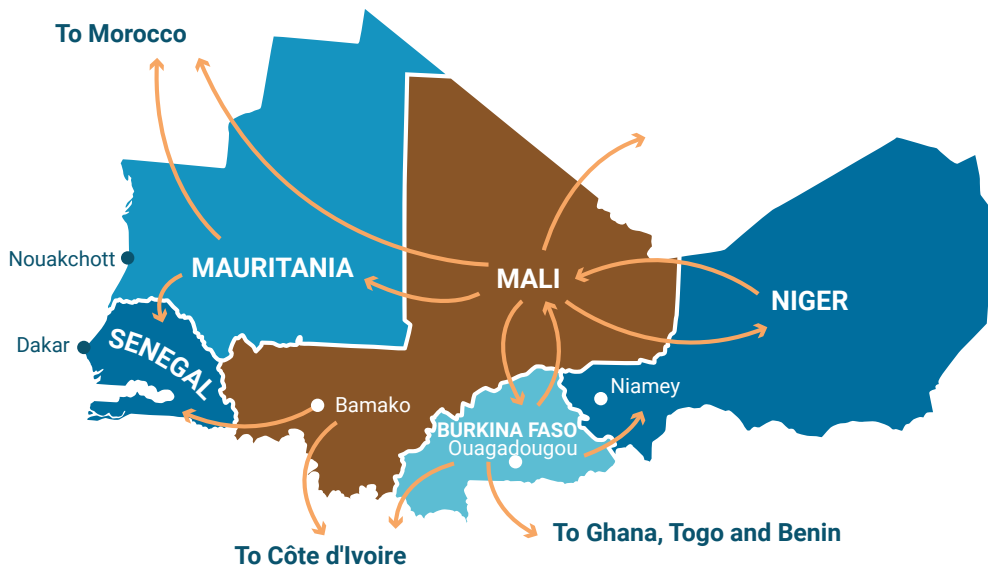
Since the 1980s, drug gangs in Central America, especially in countries like Belize, El Salvador, Guatemala and Honduras, have been involved in the illicit trade of cultural artefacts and antiquities. These gangs have used the proceeds from selling looted antiquities to fund drug trafficking activities and acquire weapons to maintain control over territories. Some reports claim that drug traffickers in Belize and Guatemala used jungle airstrips to smuggle antiquities and drugs, while airplanes arriving in the USA carried both drugs and pre-Columbian antiquities looted in Mexico.²⁰ Insurgent movements in South America such as FARC and Sendero Luminoso also reportedly used looted cultural artefacts to generate income for their operations. The illicit trade in antiquities provided them with an additional source of funding for their armed struggle. For instance, since the 1980s FARC has allegedly looted cultural goods from a variety of sources, including archaeological sites, museums, and private collections, sold them on the black market to raise money for its operations, as well as traded them for weapons with drug cartels. The looting of cultural goods by FARC has had an evident impact on Colombia's cultural heritage. Important archaeological sites have been looted, and priceless artefacts have been lost.²¹

Besides, in Latin America in the 1980s, during the Nicaraguan Revolution, the Contras, a rebel group fighting against the Sandinista government, resorted to looting and smuggling ancient artefacts and all sorts of cultural objects to finance their insurgency. Over the same period, a similar pattern of looting and selling of cultural goods was observed in places such as Lebanon. During the Lebanese Civil War, which lasted from 1975 to 1990, various factions engaged in looting and trafficking of antiquities to pay their militias and finance their activities. Moreover, in several African countries that experienced civil wars or armed conflicts during the 1980s, rebel groups were also reported to be involved in the illicit trade of cultural artefacts to fund their operations. On the other side of the globe, in Afghanistan, warlords and armed groups involved in conflicts have been known to participate in the illegal trade of cultural artefacts. The revenue from looted antiquities has been used to buy weapons and sustain their paramilitary activities.²²

In parts of Africa, the looting of sites is usually conducted by local entrepreneurs and/or networks which are considered by some as "subsistence diggers", who engage in such activities to access basic goods solely for their survival. This practice has been documented in Algeria, Libya, Mali, Niger, Nigeria, and Tunisia. However, a significant portion of the antiquities looted in these countries ends up in the hands of transnational organized

criminal, terrorist and insurgent organizations that can navigate the complexity of the international supply chain (smugglers, dealers, intermediaries) and commercialize the artefacts on markets overseas. The looting of antiquities in Mali has grown exponentially since the 1980s when their demand boomed on the international market after a large-scale illegal exploitation network developed in the country. Following decades of illegal excavation, recent estimates are that 90 per cent of locations in key areas have been pillaged. In Nigeria, for instance, the persistent looting and illicit trade of the Nok terracotta sculptures since the 1970s has depleted the country of significant pieces that could have explained their archaeological context and function in ancient Nok society. Algeria, Tunisia, and part of Libya share a similar scenario since they were inhabited by ancient civilizations that spanned North Africa followed by Phoenicians, Greeks, and the Roman Empire. Looting and illegal trade in Algeria have been constant for decades. On the other hand, Libya and Tunisia have seen a spike in illegal trade since the Arab Spring and the resultant instability it created. The black market for antiquities in the region has grown and organized criminals, insurgents, and terrorists have taken advantage of it.²³

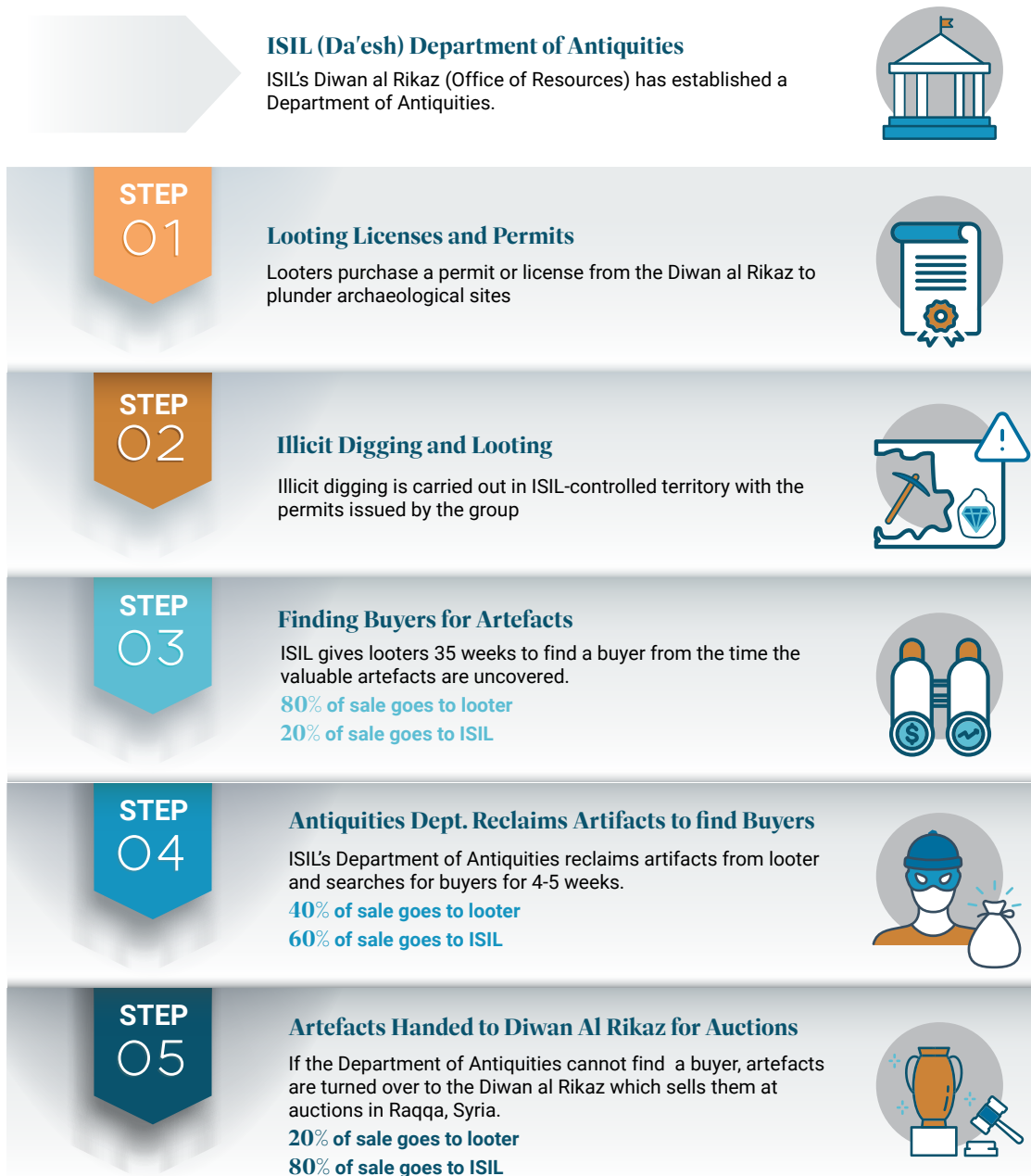
Cultural property smuggling dynamics in the Sahel.



► Figure 4: Dynamics of cultural property smuggling in the Sahel region. Source: Puskás (2022).

In the Middle East, ISIL (Da'esh)'s massive excavation and exploitation of archeological sites became known worldwide as the terrorist group conducted it blatantly. The international community soon realized that ISIL (Da'esh) took the antiquities looting seriously as a source of funding for its activities. Moreover, the terrorist group even created a 'department' to manage the looting and commercialization of the artefacts the group

ISIL (Da'esh)'s antiquities smuggling *modus operandi*

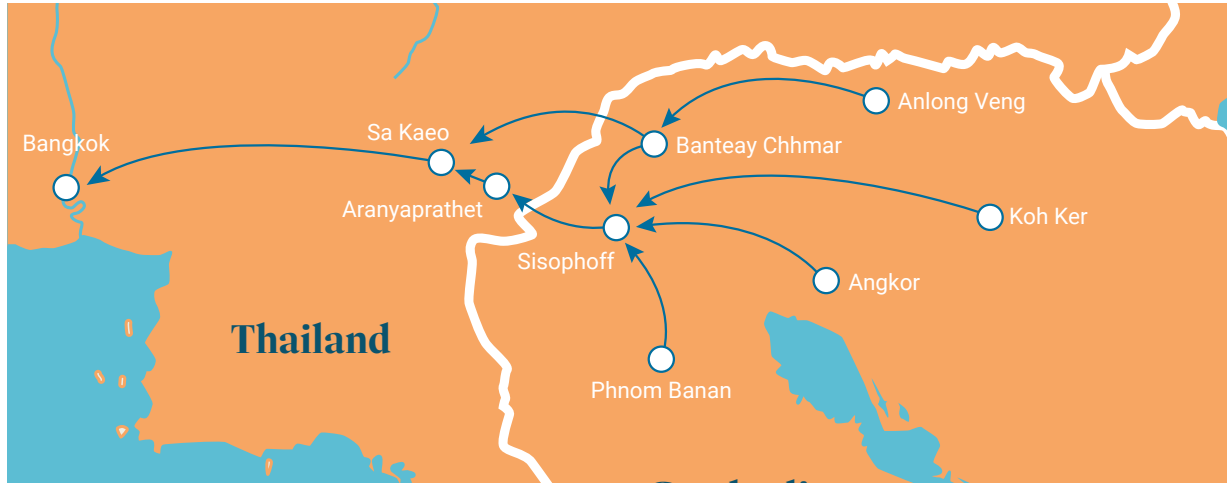


► Figure 5: How ISIL (Da'esh) turned looting into an institutionalized process. Source: Antiquities Coalition.

stole in both Iraq and Syria. However, ISIL (Da'esh)'s was not the only entity taking advantage of this illicit trade in Iraq and Syria. During the first Gulf War (1990 - 1991) the emerging instability in Iraq encouraged tribal communities and insurgent groups to excavate and sell archeological artefacts to fund their activities. Consequently, old inactive overland trade routes were restored in subsequent years. Later, in the wake of the war in Iraq in 2003, a wave of mass looting and illegal trade boosted the supply of illicit artefacts. The same occurred in Syria where the looting of antiquities, although not new, was significantly magnified by the instability following the Arab Spring, as the war impaired the State's capability and governance, resulting in the loss of control over sites, museums and collections. On top of that, following economic chaos and collapse in Syria, looting antiquities became a means of subsistence for locals, who were exploited by criminal organizations that profited more from the trade. Moreover, all warring sides in the conflict have benefitted from the illegal antiquities trade. Nevertheless, since 2013, ISIL (Da'esh) has intensified and institutionalized this process on an industrial scale.²⁴ Even after ISIL (Da'esh) lost control of its territory in Syria in 2019, its antiquities smuggling routes remain functional and according to sources interviewed, the illegal trade in cultural artefacts still generates revenue for the terrorist group and its fighters.

In Southeast Asia, cultural heritage looting has also been intense in countries like Cambodia, whose ancient culture has been plundered systematically. During the Cambodian civil war (1967 - 1998) and the Khmer Rouge rule (1975 - 1979), the looting and trafficking of cultural antiquities taken from temples across the country was commonplace among the warring armed factions, who used the labour of local people to dig and extract the artefacts. By then, there was a steady flux of looted cultural goods across the border with Thailand, that were later shipped to collectors worldwide. Once looted from the temples, the pieces were transported to Thailand by car, ox-drawn cart, trucks, on elephant backs, or even by helicopter. Organized criminals associated with the warring factions would provide logistical support to move and conceal the cultural artefacts as they changed hands on the international market. Such support included controlling the regional looting network, corrupting officials, and coordinating the storage of the items along the smuggling route, among other actions. In line with the recent gradual return of looted antiquities to their countries of origin, 30 looted Cambodian antiquities were returned from the USA to Cambodia in 2022. The antiquities were stolen by an organized looting network led by an antiquities dealer based in Bangkok, Thailand. The antiquities were recovered following an international joint law enforcement investigation effort directed by US law enforcement agencies.²⁵

Some antiquities smuggling routes from Cambodia to Thailand.



► Figure 6: Some antiquities smuggling routes from Cambodia to Thailand. Source: Mackenzie; Davis (2014).

The global demand for Chinese antiquities in the last decades has prompted looting and illicit trade in China. Tomb raiding in China has grown so much that local experts and archeologists believe that between 80 and 90 per cent of ancient tombs have been plundered so far. Many of the items stolen from these tombs are undocumented, and their cultural value remains poorly studied and understood. Provinces that are rich in Chinese imperial culture such as Henan, Shaanxi and Shanxi have been severely affected by tomb raiders. Grave robbing is not a recent practice in China, but goes back to ancient times. However, because Chinese antiquities are a multimillion dollar market with some pieces fetching tens of millions of US dollars, organized criminals and amateur diggers rush to the countryside where they hope to find high-value artefacts that will enrich them overnight. Although it is difficult to determine accurate numbers of looted sites, the resulting permanent destruction of several Chinese cultural heritage sites is evident. This illegal industry has prompted Chinese authorities to crack down on this type of crime. Authorities have been identifying and mapping several interconnected and highly organized criminal groups, resulting in the arrests of thousands of criminals and the disruption of organized criminal gangs. Some of these criminal groups are highly sophisticated to the extent of employing archeologists and other experts, as well as international traders who know how to place the goods overseas to the main destination countries, which are usually economically powerful nations. These Chinese gangs control the market from excavation to sale and can export the artefacts globally because of their well-developed entrepreneurial capability.²⁶

The examples above illustrate how pervasive organized crime is in the antiquities market and among terrorists and insurgent groups. There are many other cases in different countries and regions. While much of the looting and the initial phases of the illegal trade might be conducted by local entrepreneurs and networks, the later stages are heavily exploited by profit-driven criminal organizations and in some regions, a significant amount of this illegal trade benefits ideologically motivated armed groups. Occasionally, antiquities smuggling routes overlap with those of other commodities, either illicit or licit, although this is not the norm considering the global supply chains of antiquities. However, there are cases of dealers who were caught trafficking antiquities together with wildlife and ivory, while others were detected smuggling drugs and cultural artefacts, among other examples.

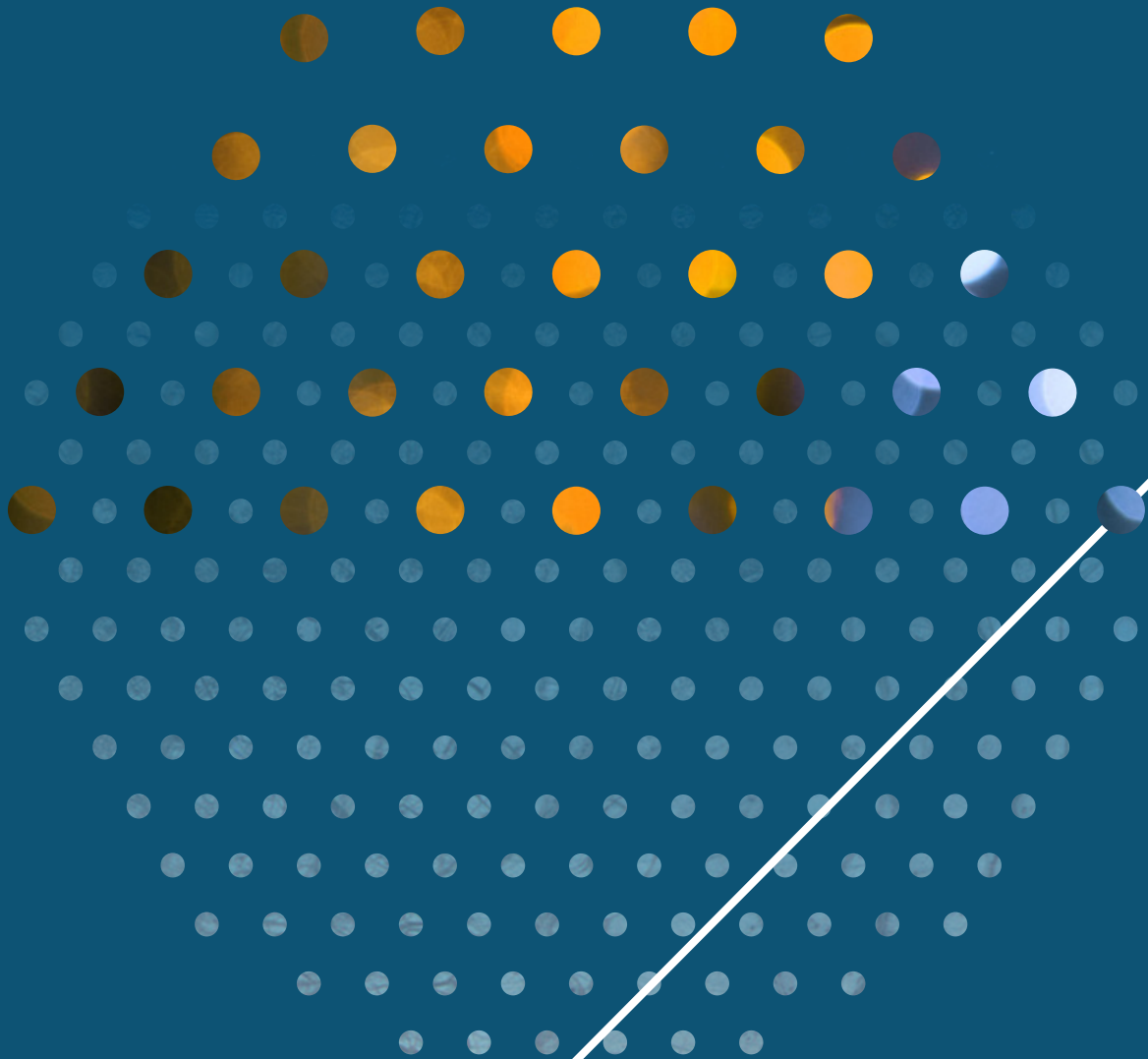
Additionally, the digital dimension of the illicit trade surfaced when criminals and terrorists gradually began to exploit social media platforms to profit from the illicit trade of cultural heritage goods. It is not uncommon to find scores of smuggling groups on social media with followers ranging from thousands to hundreds of thousands. However, the criminals/looters do not only profit from the sale of antiquities but also benefit from monetizing video content on social media platforms. One example is that of looters who upload material of the actual looting process and make money through advertisements, which allows them to profit continually without a single sale. The online antiquities market has grown exponentially in the past decade. There is abundant evidence of online trading on platforms such as Facebook, Instagram, TikTok, Whatsapp, X (formerly Twitter) and YouTube, among others, as well as through a myriad of other encrypted communication and similar social media apps. These tools enable better and more agile management of the illegal trade, while also affording anonymity and speeding up/facilitating access to global markets. New groups dedicated to online antiquities trafficking are often linked to existing groups, revealing the continuing interconnectedness of diverse antiquities smugglers.²⁷

Studies and research demonstrate that several social media posts related to the transnational smuggling of antiquities originated from conflict zones in either the Middle East, Africa or countries that are in the vicinity of or neighbouring war zones. There is also evidence of terrorists directly involved in online trading or acting as facilitators.²⁸ After these reports and research were published and the unequivocal evidence of terrorist exploitation of such online trade became widely known, some social media companies effected new policies banning the sale of antiquities on their platforms, and pledged to

remove content in direct violation of their new rules from their platforms. However, these measures, albeit effective for some time, did not deter criminals and terrorists from advertising looted antiquities on the same platforms either disguised as other goods, or overtly on other social media sites, and vastly on the dark web. Nevertheless, social media and tech companies have become increasingly aware of the significance of the illicit trade of cultural heritage on the digital dimension. Lastly, social media platforms and technology companies have been complicit in unintentionally facilitating but also vital in preventing and detecting illicit trade.

03

Cultural Heritage and Terrorism Nexus Across Different Regions



The use of profits from the antiquities trade to fund terrorist and insurgent organizations has been more frequently documented in the last decades, especially in the case of the Middle East, where local insurgencies and terrorist organizations have encouraged and promoted large-scale looting of archaeological sites across the region for some years. Countries like Afghanistan, Iraq, Syria and Yemen are among the most impacted by this type of crime and have seen some of their archaeological sites being almost entirely depleted.

Violent conflicts and economic pressure in countries in the Middle East, North Africa, Latin America and South Asia have fostered an increase in the scale of illicit trafficking of antiquities. On top of that, the instability in the era post the uprisings of the Arab Spring also contributed to intensifying this trade and inaugurated an age in which the internet, through online platforms, has been playing a major role in the illicit flow of antiquities.

However, the Middle East is not the only region affected by the crime-terror nexus concerning illicit antiquities trade, since portions of Africa, Latin America and Southeast Asia have also experienced their share of terrorist and insurgent organizations profiting from cultural heritage smuggling. Despite the existence of terrorist and insurgent groups across the globe exploiting antiquities for funding, there is limited information about their operations. One of the reasons this is still obscure lies in the fact that it is too dangerous for researchers and investigators to conduct field work for studies and therefore find the smuggling networks on the ground in countries like Afghanistan, Burkina Faso, Iraq, Libya, Mali, Niger, Syria and Yemen, for example. Although technology is effective, with the availability of satellite imagery to detect and chart the extent and evolution of the looting of archaeological sites in considerable detail, coupled with the advancement of internet search tools that trace online sales of antiquities and map online networks, it is still inadequate to nail down terrorist groups, and even harder to tie transactions to terrorism financing.²⁹

On the other hand, since the start of the conflicts in Afghanistan, Iraq and Syria, international military forces on the ground have been regularly reporting on the crime-terror nexus involving antiquities based on vast evidence collected in the region. These findings have been cross-referenced with counter-terrorism investigations that followed the 9/11 attacks.³⁰ Additionally, the UN and the Financial Action Task Force (FATF) have also been reporting the looting of antiquities by Al Nusra Front (ANF), Al-Qaeda, Hayat Tahrir Al Sham (HTS), ISIL (Da'esh) and other terrorist organizations in the Middle East. Since 2016, the FATF has identified Al-Qaeda and ISIL (Da'esh) as being involved in the illicit trade of antiquities in Afghanistan, Iraq, and Syria while monitoring the financial flows of these groups.³¹ UN agencies have collected information on ANF, Al-Qaeda, and ISIL (Da'esh)

exploiting the antiquities trade for funding, as expressed in United Nations Security Council Resolution S/RES/2199 (2015) which mentions the terrorist entities associated with Al-Qaeda, ANF and ISIL (Da'esh) that are engaged directly or indirectly in the looting and illegal trade of antiquities in Iraq and Syria.³² Resolution 2347 (2017) emphasizes that Al-Qaeda, ISIL (Da'esh) and its associated groups and individuals have systematically looted and illegally traded antiquities and other cultural heritage objects from archaeological sites, museums, libraries, archives, and other sites to generate income to support their recruitment efforts and enhance their operational capacity to organize and structure terrorist attacks. The resolution underlines that antiquities smuggling by terrorist organizations fuels and aggravates conflicts, as well as retards post-conflict reconciliation, thus undermining security, stability, and governance.³³

Since the first indications of looting and illegal trade carried out by terrorist groups in the Middle East surfaced, the United Nations monitoring team has gathered information from Member States, Interpol, and UNESCO with the aim of disrupting the illicit flow of antiquities from Iraq and Syria thereby preventing Al-Qaeda, ANF, HTS and ISIL (Da'esh) from using the proceeds of the illicit trade to fund their activities. The team confirmed the overland smuggling routes out of Syria through Turkey to transshipment points in the Western Balkans from where the objects are shipped to Western Europe across the Mediterranean Sea using yachts, or overland by trucks or other vehicles, concealed among cargo or disguised within the vehicles' frames. Moreover, there are also reports of ancient manuscripts being smuggled by individuals tied to terrorist organizations, with the items being sewn into the lining of the smugglers' clothes.³⁴

Another well-known example of the illegal trade in antiquities to generate income for terrorist organizations surfaced in the wake of the 9/11 terrorist attacks. Mohamed Atta, a member of Al-Qaeda and one of the key terrorists who hijacked and flew an airplane into the World Trade Center's North Tower attempted to sell looted Afghan antiquities to a university professor in Germany in 1999. Sources claim that Atta was trading Afghan antiquities to raise money to purchase an airplane.³⁵

In the last decades, investigative work to trace how terrorists and insurgents engage in the illicit trade of antiquities has revealed three ways in which they do it: first, by controlling and supervising the looting of historical sites; second, by facilitating, aiding, storing, transporting, taxing, and smuggling the artefacts within a given country or internationally; and third, by acquiring the antiquities either through theft or purchasing and selling them directly. These actions generate cash or the possibility of trading in other goods required by terrorist groups, such as weapons, vehicles, equipment, and safe houses, etc.³⁶

Iraq and Syria became the spotlight for the crime-terror nexus in the antiquities trade in the wake of the Arab Spring, with illicit flows of antiquities erupting on media channels. Even before the Arab Spring, Lebanese Hezbollah was already deeply involved in this criminal activity after recognizing the opportunity to profit from the proceeds of the illicit trade. Its criminal networks spanned the whole region and were already operating in smuggling antiquities as well as drugs and guns, complemented by a strong money laundering capability to conceal the proceeds from criminal operations. Besides, warring Syrian factions dealt the antiquities they looted through Hezbollah and their trade channels in Lebanon. The market in Lebanon before the Syrian civil war was similar to the current one, with established local dealers connected to organized crime and terrorists, primarily to Hezbollah, whose outlets in Lebanon have direct links to shops in Europe and beyond.³⁷

ISIL (Da'esh) for example, is a terrorist organization with an extensive criminal financing portfolio in which antiquities smuggling is just one facet. However, by the time they held territory in Iraq and Syria, their systematic exploitation and destruction of historical sites in both countries, coupled with the theft from their museums and collections, had severely depleted the ancient history of the region. ISIL (Da'esh)'s plundering and destruction of cultural heritage in the territory they held until 2019 had two objectives: first to gain profit by selling culture as an illicit activity that proved to be a reliable source of funding; and second, to destroy culture and rewrite history according to the narrative of its ideology (this action was termed by UNESCO as 'cultural cleansing'). Thus, they were keen to either sell an antiquity or destroy it as long as it ceased to exist in their territories. Evidence showed how ISIL (Da'esh) has destroyed sites like Nimrud in Iraq and Palmyra in Syria. Accordingly, one of the terrorist group's common practices was to consistently loot everything they could from an archaeological site before destroying or demolishing it, for ideological reasons, in order to erase the culture it represented.³⁸ For instance, during ISIL (Da'esh)'s occupation of Mosul, Kirkuk, and Nineveh the terrorists stole and looted objects from archaeological sites to fund their operations in Iraq. They used the routes to Turkey through the mountainous region of Iraq's Kurdistan as well as the routes into northeastern Syria to Turkey or Lebanon. The United Nations Security Council (UNSC) reports produced by the Analytical Support and Sanctions Monitoring Team assert that in 2019 and 2020 some of the smuggled items were seized at the border between Iraq and Syria and that one specific piece smuggled out of the Middle East was found in a mosque in Libya. According to the UN, by 2020 several Iraqi archaeological sites had not been physically inventoried, prompting illegal excavations and looting by people who earned a living out of the illicit trade, under the auspices of ISIL (Da'esh).³⁹

The May 2015 US Special Operations raid on the Abu Sayyaf Group's compound was the first documented opportunity to reveal how ISIL (Da'esh) was deeply involved in antiquities trafficking and the extent of its engagement in this criminal activity. The US forces recovered more than 500 antiquities and found financial records, receipts, and other documents that demonstrated how ISIL (Da'esh) controlled and profited from trade in antiquities under their *Diwan al Rikaz* (Department of Precious Resources). The department was its administrative structure that oversaw the looting/theft and smuggling of antiquities within the group's territories in Iraq and Syria when the group had a physical caliphate. The group issued licenses to diggers by imposing a 20 per cent tax on the looted items and taxing the brokers on further sales of the artefacts on the domestic market. Concurrently, ISIL (Da'esh) operatives also sold the antiquities directly to middlemen who took them to overseas markets, and structured the logistics for transporting and exporting the goods. ISIL (Da'esh) fighters strictly enforced these criminal activities and imposed Sharia (Islamic law) punishments on those who either dug, sold, transported, or stored antiquities without possessing proper licenses or paying taxes and commissions.⁴⁰

Interviews, satellite imagery, reports, and information from defectors among other sources demonstrate that by the time ISIL (Da'esh) took Mosul in 2014, it was already actively looting and smuggling antiquities in Syria and Iraq. ISIL (Da'esh)'s predecessors, the Islamic State of Iraq (ISI) and Al-Qaeda in Iraq (AQI), were already plundering antiquities and trading them for funding, although not on a scale as great as ISIL (Da'esh) did from 2014 onwards. Therefore, pillaging cultural artefacts was not something new to ISIL (Da'esh)'s leadership and fighters by 2014.⁴¹

ISI and AQI exploited the well-known transit hubs in neighbouring countries to move illicit merchandise, including antiquities. ISIL (Da'esh) has also expanded the use of international routes to illegally export looted/stolen antiquities. They use routes that cross southern Turkey, through the cities of Antakya, Gaziantep, Mardi and Ufa which are still used to move artefacts through Syria and Turkey's porous borders. They also use routes through Lebanon, via Bekaa Valley, to reach Beirut which is considered a historically important trading point for antiquities looted in Syria since the Lebanese Civil War. Jordan and its illicit antiquities market is another transit hub used by ISIL (Da'esh) that is worth mentioning. There are also routes out of Iraq that go through Turkey and Iran (through Iraq's Kurdistan region), as well as into Syria and beyond. The transit was more intense through the Iraqi and Syrian borders that were controlled by ISIL (Da'esh) when they held territory in both countries.⁴²

Even after ISIL (Da'esh) lost all its territory in March 2019, its members continued to smuggle antiquities out of the conflict zone. According to interviews with local people in

Iraq, ISIL (Da'esh) fighters and facilitators who hold antiquities routinely coordinate trade of the artefacts through brokers based in Iran and Turkey via Iraq's mountainous Kurdistan region, with the help of opaque Kurdish smuggling networks that play a key role in this illicit trade. From 2019 onwards, some people reported seeing antiquities for sale in local markets across Iraq and Syria. Some of the antiquities are traded by ISIL (Da'esh) fighters and facilitators through their web of local contacts. There have also been reports from some sources about ISIL (Da'esh) members and contacts trying to sell antiques in Iraq and Syria to raise funds to pay human smugglers to get them out of the conflict zone. Others claim that ISIL (Da'esh)'s mid-level commanders and local leadership have stockpiled antiquities in mountains and desert hide-outs since 2017 in anticipation of the group's demise. Storing these objects in hide-outs would provide a source of funds when their other revenues were cut short by the loss of territory.⁴³

Afghanistan is a country that has suffered the destruction and pillage of its cultural heritage, especially since the advent of Al-Qaeda and the Taliban. During Afghan conflicts (which began in the late 1970s), the looting of artefacts as a means of survival became commonplace for local people due to economic hardship. These looters sold the objects to middlemen who visited villages and towns to scout for antiquities to be sold overseas or in local markets. When the Taliban took over the country, antiquities looting became one of their steady sources of income, so they restructured both the looting by local villagers working for them and the smuggling routes out of the country mainly through Pakistan in the 1990s, and later in Iran. The Taliban then mapped archaeological sites for looting purposes and identified Afghan locals who owned antiquities that they could confiscate during the raids they conducted.⁴⁴

The Taliban gradually structured a complex network of smugglers who could smuggle the artefacts out of the country and into profitable markets. Their connections to European antiquities outlets were reported in documentaries and interviews with experts shown in the media. Similar to ISIL (Da'esh), the Taliban did not appreciate the value of cultural objects, which they perceived as alienating people from their ideology, hence their efforts to disconnect Afghan people from their past, while simultaneously indoctrinating them with their ideology. The filmed and recorded demolition of the 1500-year-old Bamiyan buddhas by the Taliban demonstrates their desire to erase the aspects of Afghanistan's history that they disagree with.⁴⁵

Among the several terrorist, insurgent and criminal groups involved in smuggling antiquities in Afghanistan, the Taliban, Hezb-I-Islami and the Haqqani network - and for some time Al-Qaeda - stand out. These groups have mastered smuggling operations on the Afghanistan

and Pakistan border. They not only smuggle antiquities, but also drugs, weapons, timber, and precious stones among other items. The myriad of cross-border smugglers usually pay taxes to the Taliban so they can move illicit objects across the border. Once the objects are placed in Pakistan, local middlemen and international brokers come on the scene, negotiate prices, and move the goods into the international market.⁴⁶ International land borders play a significant role in the illegal trade of antiquities due to the general lack of strict state control which occurs in remote border areas and places with high traffic of both people and goods. This is a global phenomenon in the case of antiquities smugglings that was also observed in Latin America and Africa.

Africa has suffered the plunder of its cultural heritage, particularly antiquities since colonial times when European colonial powers either destroyed the continent's cultural artefacts or took them to Europe. From the second half of the 20th century, after decolonisation, local armed conflicts pushed the looting problem to a greater scale, causing extensive harm to the continent's antiques. However, more recently, in the wake of the Arab Spring - which influenced several countries in North Africa and the Sahel - the remaining political grievances, chaos, and power vacuum have facilitated the spread of terrorist groups in parts of the continent, especially Islamist-inspired extremists affiliated with either Al-Qaeda or ISIL (Da'esh). In 2011, Al-Qaeda in Islamic Maghreb (AQIM) penetrated Algeria and Tunisia, while, Ansar al Dine and AQIM advanced into Mali in 2012, and ISIL (Da'esh) established a foothold in Libya in 2014. In subsequent years other groups, either splinters of these first ones, or projections of Al-Qaeda and ISIL (Da'esh), took ground in other countries in the region. These terrorist organizations took advantage of the extreme poverty, weak governments, inequalities, and ethnic and religious tensions, which led to the deterioration of security in the regions of North Africa, West Africa, and the Sahel. Thus, these groups gained territory and, among other pernicious actions, took the destruction and looting of antiquities to an unprecedented level, mimicking Al-Qaeda, ISIL (Da'esh) and the Taliban by either destroying cultural and archaeological sites to convey ideological messages that support their propaganda, or systematically looting and trading artefacts for funding purposes.⁴⁷

The mix of porous borders, fragile states, lack of strong law enforcement capabilities, corruption, weak economies, inequality, poverty, and the long-standing overland trade routes that connect North Africa, West Africa and the Sahel, in turn, brings them closer to European markets. All these factors contribute to the illegal trade of various illicit commodities, including antiquities, such as Ancient Roman and Greek objects, Byzantine statues, coins, mosaics, Islamic, Jewish, and Coptic objects, bronze and terracotta statues and items, among others.

Evidence demonstrates the convergence between organized crime and terrorists in the illicit trade of antiquities in the region. These actors have structured networks that use air, land, and sea routes to export the artefacts to Europe, the USA, and the Arabian Peninsula directly or indirectly through transit points like Egypt, Gaza, Israel, Jordan, Turkey, the United Arab Emirates, and other countries in North Africa. Reports have concluded that container shipping through seaports is the preferred method for large artefacts, since it favours the concealment of the objects within other commodities and reduces the chances of seizure. Only an average five per cent of containers are inspected worldwide as the sheer volume of maritime commerce makes it impossible for inspectors to check more merchandise leaving seaports. Moreover, smaller objects can be smuggled by air directly to the final destination, either hidden in personal belongings or among air cargo. Finally, other objects can be smuggled in a combination of transport modes comprising overland and sea routes in smaller vessels such as fishing boats or recreational vessels such as sail boats.⁴⁸

The antiquities looting problem in Libya was aggravated following the Arab Spring and intensified after ISIL (Da'esh) set a foothold in the country in 2014 when they took advantage of the existing Islamist inspired insurgent networks and briefly occupied nearly 250 Km of seaside territories (near Sirte, Benghazi and Derna) which enabled them to smuggle the looted and stolen objects across the Mediterranean Sea. In 2016, field evidence proved ISIL (Da'esh)'s looting, storing, and trafficking of antiquities excavated/stolen in Libya across the Mediterranean Sea in partnership with the Italian mafia (Camorra and Ndrangheta) that would – in turn – provide ISIL (Da'esh) with weapons smuggled from Moldova and Ukraine. Besides, during a raid of an ISIL (Da'esh) compound, security forces found Roman and Byzantine artefacts stored in an ISIL (Da'esh) commander's quarters in Benghazi. Moreover, in the same period (2014 - 2017) ISIL (Da'esh) affiliates Ansar al Sharia in Libya (Benghazi and Derna) plundered antiquities from archaeological sites in the Libyan Cyrenaica region (Apollonia and Cyrene) and simultaneously managed to obtain Egyptian looted artefacts to trade with Spanish criminal networks. The items were sent to Spain through a counterintuitive route from North African to Middle Eastern countries (Jordan, Saudi Arabia and the United Arab Emirates) and then to Spain; and sometimes also through Southeast Asia, Russia, Germany, the United Kingdom, France and other European countries before reaching Spain.⁴⁹

Mali is another African country plagued by antiquities looting and smuggling, being a country rich in cultural artefacts but geographically positioned in a region engulfed by conflicts that has been afflicted by acute insecurity for several years, resulting in constant instability fostering the emergence of ungoverned spaces that are susceptible to terrorist organizations. Clashes between jihadist groups ISIL (Da'esh) Greater Sahara and Jama'at

Nasr al Islam (JNIM) in recent years have made the situation even more volatile. These groups compete for spheres of influence and control of supply lines. Due to its intrinsic dynamic characteristic, the conflict has spilled over the borders into Burkina Faso and Niger. Scores of Mali's terracotta and bronze artefacts, ancient beads, medieval manuscripts, and other valuable objects, found especially in the central part of the country, have been plundered to a degree that experts estimate at a 90 per cent level of damage and looting.⁵⁰

Due to the growing armed violence in the region, the looting of archaeological sites and illicit trafficking of antiquities have been a steady source of profit for terrorist organizations operating in the country and the region, with Ansar Dine, ISGS, and JNIM being prime examples. The city of Timbuktu was occupied by terrorist organizations in 2012. The terrorists acted with extreme violence, spreading fear while destroying mausoleums, mosques and other historical places designated as World Heritage sites. Ansar Dine terrorists severely damaged Timbuktu's collection of manuscripts, burning part of it, although most of it was salvaged and removed beyond the terrorists' access. However, part of the collection was stolen and most likely entered the black market of antiquities. In the following years, the theft and destruction by terrorists continued, mostly affecting the central and northern parts of the country. Since Mali is intertwined by old trading routes through which the antiquities are frequently moved alongside other merchandise and contraband, and the country's porous borders facilitate the movement of goods, the criminals can easily smuggle the objects to Algeria, Burkina Faso, Mauritania, and Niger (which fall within regular smuggling routes) to be later taken to Western Europe (destination of most of Mali's looted antiquities).⁵¹

Countries and regions plagued by violent conflict and instability are more prone to antiquities looting and destruction. Terrorist and insurgent organizations take advantage of weakened state control and deteriorating security to exploit accessible illicit markets. Countries that are rich in antiquities are more susceptible and can easily fall prey to these actors. This market has a different nature, not only as mentioned before: the difficulties regarding provenance, and international regulation among others, but also the fact that stolen antiquities may wait years and even decades to enter the market since they are usually stored at hideouts while brokers and owners wait for an opportune time to sell them. This illustrates why countering this criminal activity requires closer international cooperation, which will only be more viable if countries raise government awareness about this market while tightening legislation, enforcing border controls, and focusing on counter-terrorism finance investigations among other actions.



04

**Some Challenges in
Countering Cultural
Heritage Smuggling**

Buying and owning antiquities is not illegal *per se*, but the legitimacy of the trade is related to how the antiquity is obtained. This particular market is often opaque since antiquities are considered legal in some countries because they have been in circulation or housed in museums and collections for long periods, as is the case with artefacts collected during colonial times which were made legal through this process. Besides, in general, domestic laws are not precise enough to prevent illicit artefacts from becoming licit, and current legislation presents inconsistencies or contradictions that cloud the judgment of government officials. For example, the legislation in some countries recognizes as a licit object (and therefore its purchase) an antiquity that was obtained in good faith, while in some cases, the laws are flexible and allow a permissive process that facilitates the fabrication of an acceptable title. According to information collected for this report, most of the antiquities sold on the market lack provenance documentation. This implies that the antiquities without provenance documentation were probably looted or stolen.

The consequences of the gaps and fissures in domestic legislation also affect the international regulatory environment. Moreover, the international ownership dispute and academic debates over ethics in such markets produce a kaleidoscope of terms, labels, and denominations that frustrate standardized regulatory efforts and impede further development of precise trends, analytics and subsequent decisive countermeasures.

Despite efforts to standardize norms, the discrepancy in the legal framework and, for instance, the situation in which the right of ownership is determined by the law of the country where the object is physically situated prevent member states from having a comprehensive assessment of the trade, and more specifically, its use for terrorism financing. Hence, an antiquity that is considered illegal in one country might be legal in another, and since there is no competent international body to effectively mediate and arbitrate issues of legal transfer, the disputes are often challenging to resolve.⁵²

Adding to the challenge, the diversity of features in the antiquities category makes it very difficult for police officers, customs, and other officials to distinguish between licit and illicit items, hence establishing authenticity, provenance, and ownership is a daunting task. These circumstances further complicate the work of customs officers, law enforcement agents, prosecutors, and judges whose regular training does not equip them with the tools and expertise to identify, enforce, prosecute, and judge this type of crime. Furthermore, transactions in antiquities and cultural goods rarely leave a paper trail and the owners carefully hide the transactions to evade taxes related to luxury items. Fiscal authorities find it challenging to tax antiquities since their authenticity and value are mostly determined by the unscientific assertions of experts and connoisseurs.



► Figure 7: Common methods used by smugglers. Source: Interpol.



► Figure 8: Law Enforcement detection methods. Source: Interpol.

Trade in antiquities requires an expert eye to recognize authenticity, origin, and the item's licit or illicit nature. Having interviewed many government officials from various departments and with diverse capacities, and drawing from the author's personal professional experience in this field, it is clear that Member States, apart from rare cases, are not yet able to efficiently fight the illicit trade of antiquities, let alone recognize it as a contributor to terrorism financing.

The absence of dedicated 'art and antiques police' in most countries suggests that governments do not consider cultural artefacts smuggling as a major priority. This is

despite the growing problem of cultural property smuggling, with the value of stolen/ illegally obtained cultural goods being a multi-million business. Nevertheless, there are a few possible reasons why governments may not see this type of crime as a priority. One reason is that it is often difficult to investigate and prosecute crimes related to cultural heritage. Cultural objects can be easily moved and hidden, and it can be difficult to prove that a particular piece was stolen/looted. Another important reason is that cultural heritage-related crimes are often seen as victimless and they do not generally involve violence. After all, Governments are usually more concerned about violent criminality or crimes that foster violence. However, although most countries do not have special police units to counter this type of crime, they have laws that specifically address cultural heritage-related crimes.⁵³

Despite pressure from international bodies such as Interpol, limited to no efforts have been made by Member States to reconcile statistics of seizures, forensics, investigations, and other information concerning the illicit trade of cultural heritage goods. Governments generally do not dedicate enough resources to studying, researching and analysing data, since the categorization applied on 'stolen object' is collected and recorded by officials who lack expertise on cultural heritage smuggling. Countries have insufficient data to compare the illicit antiquities trade with other illicit transnational markets, since the illicit trade in antiquities remains underestimated, a fact that hampers the possibility of producing an accurate picture of the size and threat of its black market. The lack of precise data and statistics impedes countries' efforts to create effective policies to counter the illicit trade of antiquities, which leads to continued unawareness and ignorance and perpetuates the illicit trade.⁵⁴

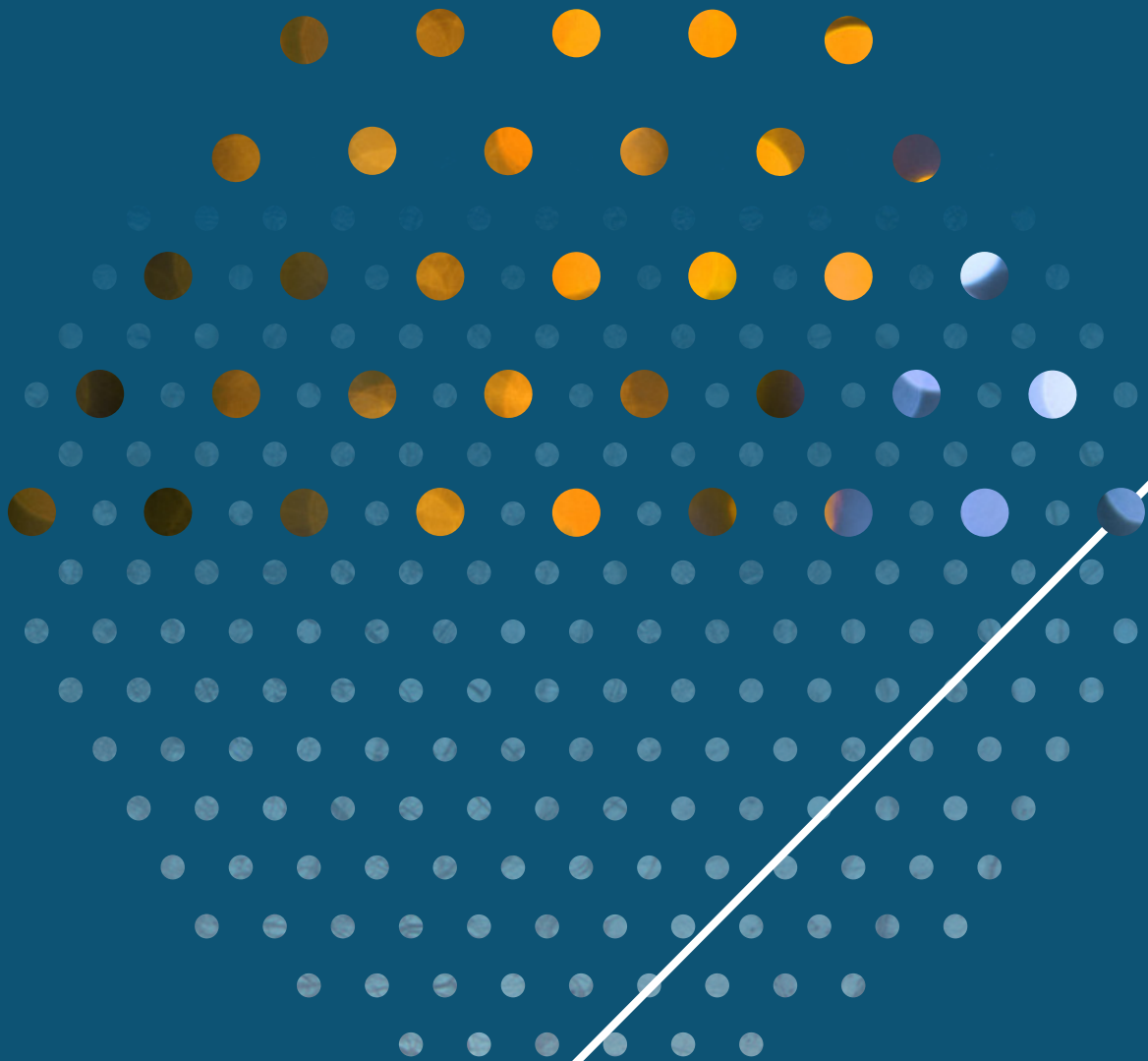
Finally, evidence of terrorism financing from antiquities smuggling has been increasingly difficult to prove in legal courts, even though there is ample intelligence information concerning this illicit trade and its nexus with terrorism. Despite recurrent, evocative cases presented by media outlets and reports on this specific issue, and aside from Al-Qaeda, ISIL (Da'esh), and the Taliban who present notable examples and cases in which more precise evidence has been revealed, it is difficult to assess the frequency, scale and actual flow of these illicit transactions and their subsequent connection to terrorism funding.

There are several challenges to countering the illicit flow of antiquities. The above-mentioned do not cover all the possibilities, but illustrate some of the key issues regarding the difficulties in addressing the causes. Despite the subject being discussed extensively for decades, antiquities smuggling is not yet a priority for most Member States, since they still do not recognize the risks and threats posed by these criminal enterprises.

Nevertheless, some good practices and recommendations could attenuate the illicit trade and assist in identifying the main issues that, if appropriately addressed, will help assess the level of the threat, and thus provide possible avenues of public policy to minimize the damage caused by the illegal market.

05

Recommendations



I

Governments, NGOs and academia should enhance cultural awareness-raising programmes that engage and encourage local communities to preserve their culture and history. Such programmes work best when aligned to initiatives that create employment opportunities and generate income for local populations, especially in poor communities that end up digging for antiquities for subsistence.

2

Countries that are more affected by the looting and illicit trade in antiquities should devise effective collaboration and cooperation programmes that involve law enforcement officers, prosecutors, judges, cultural authorities, and academic experts to improve the quality of the investigations that target the illicit trade by creating a cross-disciplinary network of experts. Academia and cultural authorities can develop capacity-building programmes for law enforcement, prosecutors, and judges. Cultural authorities can improve the interface between law enforcement officers and experts by creating protocols for close collaboration so they can team up during investigations.

3

Collaboration between the public and private sectors is essential, especially in destination countries. It is important to provide capacity-building for gallery owners and personnel, as well as museum staff, so they can better understand the market's criminal dynamics and negative consequences such as corruption, financial crimes, and fraud, among others. Likewise, the private sector should understand that it can be complicit in unintentionally facilitating money laundering and terrorist financing. Thus, information sharing between the public and private sectors helps to unveil complex investigations, overcome their intrinsic challenges, and detect money laundering crimes as well as terrorism financing.

4

Government officials in destination countries, leaders, politicians, and other stakeholders should be able to assess the level of damage, threat, and impact of this criminal market in their countries, even if they are not the looted country. Crimes such as money laundering, embezzlement, tax evasion, fraud, and forgery directly affect destination countries and foster criminal dynamics. Therefore, experts, law enforcement, and academics should work on raising the awareness of decision-makers. Passing laws against antiquities smuggling is not enough to curb this kind of crime, when governments do not recognize it as a threat.

5

Governments should seek to strengthen information gathering and analysis aimed at developing comprehensive statistics on the illicit antiquities trade. Reconciling and cross-referencing statistics is a way to enhance understanding of the illicit trade, rank and compare it with other transnational crimes, improve threat assessment, endorse recommendations by multilateral organizations such as the UN and Interpol, and, therefore enable better and more effective policies to counter the threat.

6

Source, transit and destination countries should strive to work together. The first step should be to establish bilateral or multilateral agreements/treaties that enable closer collaboration and joint work, followed by an extensive assessment of the *modus operandi* of the trade concerning the collaborating countries. These treaties should aim to standardize and clarify procedures, concepts, and whenever possible the relevant legislation. Joint international investigative teams would be ideal once the illicit trade dynamics are known and recognized by all players as a problem to be countered. Structuring information exchange platforms between law enforcement agencies, establishing fusion centers dedicated to this type of investigation, developing technological tools for surface, deep, and dark web investigation, and constant monitoring of antiquities markets since markets, objects traded, and criminal actors change regularly are some of the possibilities to be worked on through bilateral and multilateral agreements and treaties.

7

There is need to obtain a better knowledge of the crime-terror nexus in the illicit antiquities trade. Further academic research is needed to enhance understanding of the dynamics and threats posed by the funding of terrorist organizations through illicit trade in antiquities. Given that this market is mostly transnational, and that intercontinental terrorist organizations benefit from the gaps of counter-terrorism and counter-threat finance legislation throughout the globe, terrorism funding from antiquities demands a closer look into finances and money flows.

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