Forum:	General Assembly 3
Issue:	Measures to address illegal trafficking of cultural heritage
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Introduction

Culture is an invaluable trait that has been passed down from past generations; it gives every person an identity and a sense of belonging to a community. It is essential to preserve tangible and intangible heritage in order to maintain cultures; however, with the rise of globalization, intangible traditions gradually become forgotten. Meanwhile, tangible archaeological objects are becoming increasingly valuable as time passes, resulting in the desire to preserve it - and the desire to steal it.

Trafficking of cultural heritage has been present as far back as World War II but has become a global problem in today's world, with the United Nations currently recognizing this issue as a war crime. Looting and illicit marketing of cultural heritage has become a source of revenue for organized crime groups and terrorists, which results in the loss and destruction of historical and irreplaceable artefacts. Terrorist organizations such as the Islamic State of Iraq and the Levant (ISIL) have been responsible for the destruction and looting of notable heritage sites in Syria. Similarly, the Taliban demolished the Buddhas of Bamiyan in 2001, which was a significant symbol of Afghanistan's pre-Islamic age. As a result, its destruction has lead to the loss of the Afghan people's past identity and understanding of their nation's history and culture. In addition, terrorist groups have been illicitly excavating antiquities from archaeological sites on an industrial scale, which are then sold off the black market. Western demand for Asian antiquities also fuel the financing of organized criminal groups, encouraging them to further loot and market prized and irreplaceable artefacts, creating a persistent and endless cycle of this issue. As historical antiquities continue to be demolished, the sense of loss of identity and cultural significance in communities begins to grow at an alarming rate.

Definition of Key Terms

Illegal Trafficking

Illegal trafficking is the illicit looting, trade and selling of an object or person. In the context of cultural heritage, trafficking is when irreplaceable archaeological artifacts are smuggled and traded for less than what they are worth, which has the potential to diminish cultural testimonies and finance criminal groups.

Culture

Culture consists of the characteristics that are associated with a particular community or group of people, such as the type of religion, traditions, language, habits, interactions, arts, etc.

Cultural Heritage

Cultural heritage refers to the tangible and intangible attributes that preserve a culture which are inherited from past generations and are meant to benefit future generations. According to United Nations Educational, Scientific and Cultural Organization's (UNESCO) definition, there are three types of tangible heritage: movable (e.g. sculptures), immovable (e.g. archeological sites) and underwater heritage (e.g. shipwrecks). Intangible heritage includes attributes that can't be physically experienced, such as oral traditions, prayers and rituals.

Antiquities

Antiquities are objects, structures, sites or buildings that have historical significance. There are two types of antiquities: immovable and movable. Immovable antiquities are related to the land, such as villages, historical outcrops, caves, rock etchings and carvings, trade routes, etc. Movable antiquities include items that are detached from the land, such as small sculptures, jewellery, coins, etc. A similar term that is used in this research report is 'blood antiquities,' which are illegally smuggled antiquities from war torn regions that are used to finance terrorists.

Organized Crime Groups

In most cases, organized crime groups have the motive of gaining financial benefits. These kind of groups plan ahead and conduct criminal activities in order to gain economical benefits and products. Organized crime groups may also have the aim to receive more global attention along with other ulterior motives. Examples of organized crime include bombings, smuggling, assassination, blackmailing, etc.

Excavation

Excavation is to dig out an antiquity or artefact from an archaeological site. In the context of this issue, excavation is used in the sense that it is illegal. Archaeological sites are prone to being excavated by organized crime groups.

Background Information

A brief coverage of trafficking in cultural heritage was previously mentioned. In order to gain a deeper insight into this issue, it is mandatory to explore the various regions and time periods where antiquities are in threat of being exploited. Instances include the past looting of artworks during the Holocaust, the pulverization of the Buddhas of Bamiyan, the current illicit excavation of blood antiquities in Syria and Iraq, and the looting from Cambodia's heritage sites as a result of surplus tourism.

Looting during the Holocaust

During the second World War, the Nazis purged approximately 16,000 artworks which were mostly abstract and modern and considered "degenerate art." Adolf Hitler, who was the leader of the Nazi Party, was an artist prior to being a politician. He depicted realistic paintings which were disregarded by the artistic community in favour of abstract artwork. As revenge, Hitler established the Degenerate Art Exhibition, where abstract and modern work was hung skewed and graffitied. After the exhibition, some artworks were also burned down by the Nazis. Nazi officers would collect and gift others with artworks, which showed their dedication to the ideologies of the Nazi Party. Additionally, Fritz Grünbaum was an Austrian writer who overtly mocked Hitler. Grünbaum had a collection of 450 artworks which looted by the Nazis in 1938, which gained international attention as approximately 80 of the pieces were the works of a famous artist, Egon Schiele.

Nations that have currently been subject to heritage trafficking

Cambodia

Cambodia is abundant in rich historical sites and structures. Angkor Archaeological Park is an example of a heritage site that is now in the UNESCO World Heritage list, which has made it a notable tourism area, serving as a great source of income; however, this same mass tourism has also led to an increase in the looting and trafficking of antiquities. On the other hand, there also many undiscovered sites and smaller temples that are prone to pillage, which the government and nongovernmental organizations (NGOs) are attempting to surveil these areas. Many prehistoric antiquities also hide under regular village houses, which are even more subject to

being looted before they are discovered by officials. Looting in Cambodia is also instigated due to the high demand of Asian artefacts in the global market. Over 189 Cambodian piece of artefacts have been sold for over 100,000 USD in the past few years, raising a major concern for the Cambodian population and their cultural identity.

Afghanistan

In 2001, the Taliban destroyed the Buddhas of Bamiyan, which were carved nearly 2000 years ago and signified Afghanistan's pre-Islamic history, using various forms of weaponry such as artillery, dynamite, anti-tank mines and rockets. The Buddhas of Bamiyan were seen as potential source of income as a tourist site, and yet the statues were damaged with no firm incentive. It is believed that the rise of Al-Qaeda, an organized militant group, instigated the act and encouraged the Taliban leader, Mullah Mohammed Omar, to carry out the attack on the Buddhas. The Taliban's iconoclastic beliefs, idea that Western nations weren't giving enough humanitarian aid to Afghanistan, and wish to seek global attention may also have incited the the destruction of the Buddhas. The Taliban regime has also claimed that the damage was an "Islamic act," which contradicts the fact that Islam conquered Bamiyan in the 10th century and that the Buddhas were intact until 2001. UNESCO put the Buddhas of Bamiyan under the List of World Heritage in Danger in 2003.

Syria

Syria has been a major target regarding trafficking of cultural heritage, which holds six UNESCO world heritage sites. ISIL has primarily targeted excavation from these sites, where an estimate of 900 artifacts and monuments have been destroyed or looted. In the May of 2015, Palmyra, one of the UNESCO world heritage sites, was bombed which included the explosion of The Temple of Bel, a 1,500 year old shrine that was a testimony of the Roman colonization in Syria. The Temple of Bel also represented polytheism, which gave ISIL a better incentive to demolish it due to their monotheistic beliefs. Besides The Temple of Bel, ISIL has also repurposed an ancient Roman theatre to execute two dozen people who resisted them. Furthermore, in an interview in a radio station, Abu Laith al Saoudy, an ISIL military commander, promised to not destroy historic buildings but will target statues. However, in the August of 2015, ISIL detonated the Temple of Baal Shamin, a small temple which had been dedicated to a Mesopotamian god. Besides damaging buildings, ISIL also murdered a renowned 81 year old Syrian historian and archaeologist, Khaled al Assad, who spent his life predominantly protecting Syria's cultural heritage. Assad had knowledge of the locations of antiquities which he did not disclose to the militants, and as a result, he was beheaded in public.

ISIL has not only destroyed a significant portion of Syria's heritage, but they are also using stolen antiquities as a source of finance. Looting is ISIL's main source of income next to oil. The black market is believed to be worth billions of dollars because of blood antiquities, according to Irina Bokova, an UNESCO chief. As a result, ISIL's plundering has become a thriving transnational enterprise.

ISIL has not only targeted Palmyra. Aleppo, a Syrian city with rich Ottoman and Greco-Roman history, was invaded in 2012, which continued until the December of 2016. According to the United Nations Institute for Training and Research (UNITAR) satellite maps, 35,722 structures were obliterated, which accounted for the destruction of 30% of Aleppo's historic sites. Raqqa is another city of historical significance that has been a victim of ISIL's looting. In the March of 2014, ISIL destroyed three shrines at Ammar bin Yassir Mosque, which was a Shiite pilgrim destination. A shopping district along a road called 23 February Street has been used for killings, along with other landmarks and roundabouts. Muhammad Square and Clocktower Roundabout are popular landmarks in Raqqa that were quickly repurposed for public displays of lashings and beatings.

Iraq

Iraq was another one of ISIL's targets. From 2014 to 2017, ISIL occupied Hatra, a prominent city that symbolizes Iraq's history with the Silk Road. ISIL bulldozed the city in 2014, which they broadcasted publicly. Hatra was also used as a training site and was mass looted.

ISIL also captured a city called Mosul in the June of 2014, which the Iraqi forces fought over. A historic library was burned down, the tomb of the biblical figure Jonah was looted, and a monastery dedicated to Saint George was obliterated. Artifacts at the Mosul Museum were either looted or deliberately destroyed, and tunnels were dug under the city as a method to loot and covertly transfer valuables. Nimrud, a city occupied by ISIL from 2014 to late 2016, was also subject to destruction. Approximately 80% of the city was destroyed, which included the bulldozing of a 2,900 year old ziggurat and the explosion and drilling of a palace. Among the destruction, 70% of the palace of an Assyrian king in the city of Nineveh was also reduced to rubble.

ISIL has been responsible for the more recent crimes- however, looting of Iraq's heritage is dated farther back as well. The US Invasion of Iraq in 2003 resulted in the looting of nearly 15,000 antiquities from the Museum of Baghdad. There were also thousands of artifacts buried from underneath the ground of heritage sites. Ever since the invasion, retailers have noticed an increase in the selling of antiquities online, which is difficult to keep track of as there are many items on sale with fake provenance papers. Approximately 7,000 artifacts were returned including the Lady of Wakra, which is a Sumerian artifact that was stolen in the aftermath of the invasion

and then later on returned in the September of 2003. Additionally, a stone statue of a Sumerian king was looted after the invasion, recovered in 2006 in New York, and returned to Iraq in 2010. The US has repatriated around 1,200 antiquities between 2008 and 2015. Yet, the other 8,000 antiquities have not been returned back to their rightful places. Many of the antiquities are small, making it easier to hide and transport them. Furthermore, notable heritage sites such as Ishtar Gate, which dated back to the time of the Babylonian age, were used as US military camps during the invasion. Around 300,000 square meters was destroyed, reduced to rubble and flattened for the purpose of creating landing pads for helicopters and parking lots, as well as building trenches.

United Nations Response

In the aftermath of the the destruction of the temples in Palmyra, Bokova condemned the act that took place: "The systematic destruction of cultural symbols embodying Syrian cultural diversity reveals the true intent of such attacks, which is to deprive the Syrian people of its knowledge, its identity and history." UNESCO has classified this crime as cultural cleansing. In 2015, the UN also adopted a resolution that addressed the cultural threat to Iraq, further emphasizing the international condemnation towards trafficking in cultural heritage.

Major Countries and Organizations Involved

International Criminal Police Organization

The International Criminal Police Organization (INTERPOL) is working on raising awareness of trafficking of cultural heritage and encourages the collaboration between police and art and antique dealers to reduce the diminishing of cultural heritage. INTERPOL has also established a database with a record of stolen antiquities and artworks, which is accessible to authorized agencies and organizations so that they are able to locate places where illicit trading is most prevalent as well as protecting the remaining cultural heritage. INTERPOL also uses the Red List by International Council of Museum (ICOM), which is a tool that categorizes endangered antiquities in regions that are prone to illicit trafficking.

Norway

Norway has been actively engaged in preventing illicit trafficking and monetary transactions between crime groups. The Norwegian government has also provided the UNESCO Action Plan for Iraq with 1.5 million NOK, which targets the prevention of illegal trade and cultural heritage destruction. Norway has supported and been actively involved in similar forums and organizations. The Norwegian

government has also warned their citizens, who are frequent travellers, of purchasing antiquities when they visit places such as Syria, Iraq and Turkey, where blood antiquities are commonly sold off the black market. Various campaigns and organizations such as The Art Council Norway, the Norwegian Committee of the International Council of Museums and the Norwegian Blue Shield Committee collaborate and work to create awareness raising initiatives along with other preventive measures. Norway also engaged in the Nordic conference on illicit trade in cultural heritage in 2015, where information on the issue at hand was exchanged, as well as discussing how Nordic states can unite and create measures to prevent illegal trafficking. Norway's fight against illicit trading is based on their ratification of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property and 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects. By going through the process of ratifying international agreements, Norway has committed to alleviate the issue by continuing to prevent illicit trafficking, improving the knowledge and awareness of the action, monitoring online sales, and amending and adding on to current initiatives meant to stimulate cross-sectoral cooperation as a way to share information and regulate national efforts.

United Nations Office on Drugs and Crime

The United Nations Office on Drugs and Crime (UNODC) has responded by working closely with other organizations and its partners such as the Organization for Security and Cooperation in Europe (OSCE) and UNESCO to develop legal frameworks, improve law enforcements and generate tools that can help nations handle the crime at hand. The UNODC is also working on enhancing data collection of cultural heritage trafficking so that locating where the crime is more severe will be easier. The implementation of legal and practical instruments is also in progress. The UNESCO Handbook of Legal and Practical Measures Against Illicit Trafficking in Cultural Property clarifies the issue at hand, provides a database, recalls previous solutions, as well as providing feasible suggestions that could potentially reduce illicit traffic, such as strengthening national legislations. UNODC has also worked on awareness raising campaigns and initiatives as well as forming partnerships with the European Union, intergovernmental organizations, NGOs and research institutes as a way to boost international cooperation against illicit trafficking.

Council of Europe

In 2017, the Council of Europe (COE) adopted a criminal law treaty to minimize terrorism and organized crime by preventing the looting of artefacts, illicit excavation from archaeological sites, illegal trading and forgery of documents of invaluable cultural heritage which have provided financial support to terrorist groups. The COE's aim is to implement the aforementioned ideas into national legislations as a way to reduce crime and the loss of memory and identity among citizens. The law treaty gained six

signatories in 2017: Armenia, Greece, Cyprus, Portugal, San Marino and Mexico, all which have signed the treaty for the purpose of eliminating the loopholes in their national legislations that have continued the problem of cultural heritage trafficking.

Timeline of Events

Date	Description of event
1938	Nazis begin to loot and confiscate artworks in Germany.
1954	Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict
1970	1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property
1995	1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects
2001	The Taliban pulverize the Buddhas of Bamiyan in Afghanistan.
2015	ISIL bomb and loot Palmyra.
2017	COE criminal law treaty gains six signatories

Relevant UN Treaties and Events

- Maintenance of Peace and Security, 24 March 2017 **(S/RES/2347)**
- Threats to International Peace and Security Caused by Terrorist Acts, 12 December 2016 **(S/RES/2322)**

- International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offices, 26 January 2015 **(A/RES/69/196)**
- Strengthening Crime Prevention and Criminal Justice Responses to Protect Cultural Property, Especially with Regards to Its Trafficking, 11 February 2014 **(A/RES/68/186)**
- Combating Transnational Organized Crime Against Cultural Property, 2 December 2010 **(CTOC/COP/2010/17)**

Previous Attempts to solve the Issue

After the Holocaust, there have been numerous conventions and adoption of resolutions and treaties by the UN and the like. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict was the first convention that addressed the issue of trafficking in cultural property and was established as a result of the destruction of cultural heritage during the Holocaust. The First Protocol was adopted in 1954 and the Second Protocol was adopted in 1999. The First Protocol's measures include preventing the illegal exportation of cultural property, taking imported cultural goods into custody, and returning found artefacts to their owners. The Second Protocol strengthened the provisions of the Convention and extended the protection of cultural heritage by clarifying the types of sanctions that may be imposed on violations, specifying the punishments on individual crimes and enforcing more proper national legislations.

The 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property was another prominent convention on this issue that required nations to take preventive measures such as monitoring trade, having educational campaigns and imposing sanctions. The convention also focused on re-enforcing the cooperation and communication between nations. The 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects was an extension of the 1970 UNESCO Convention which focused on the restoration and documentation of damaged and stolen cultural property.

Despite these efforts, there has not been a major reduction in trafficking of cultural heritage, especially in places like Syria where looting and destruction of antiquities were widespread. A few organizations alone cannot instantly resolve a common yet undercover issue like cultural property trafficking. In order to see a change on a global scale, there must be knowledge, awareness and action on this issue from the general public, especially since organized crime groups are motivated because of the high global demand of antiquities.

Possible Solutions

One possible solution is to strengthen the security and monitoring in the vicinities of cultural heritage sites by implementing various security measures such as a video-surveillance system, nearby police stations, and perhaps an inspection of tourists before they enter and after they leave a historical site. This solution would be more suitable to developed regions where the issue prevails, such as Cambodia or cities in Europe. However, it may not be the best method to alleviate the issue in war torn regions, where organized crime groups have the potential to destroy the surveillance system and attempt to harm police officers. More threatening security measures such as electric meshes or traps around historical sites may be able to combat terrorist groups.

The UN also suggests the general public and travellers to be mindful when they buy artifacts and antiquities. UNESCO posted a video that provides clues to check whether an antiquity may be a result of illegal trafficking, which includes the following: checking whether the artefact has dirt or seems to be a broken fragment, has a reference number which could mean it was stolen from a museum, has given a price that seems to be less than what the product is actually worth, and whether the seller is able to provide customers with provenance paperwork. UNESCO highly recommends that if one feels suspicious, that they should call the police, ministry of museums, customs or UNESCO themselves.

Although terrorist groups have been predominantly responsible for cultural heritage trafficking, it is also mandatory to curb the general public's possible desire to loot and sell ancient antiquities as a source of income, especially those who are economically less fortunate and have not had a decent education. Perhaps implementing subsidies, exempting taxes or providing benefits to those who are unfortunate may reduce their possible tendency to steal valuables. Furthermore, educating people on this issue and the significance of protecting cultural heritage would help improve awareness raising initiatives; as a result, it would motivate people to support their local museums or heritage sites in the effort to protect the integrity of antiquities and artefacts.

Moreover, sustainable tourism is mandatory to prevent surplus tourism from disrupting local communities. An overwhelming number of tourists at one heritage site is also difficult to track and can also lead to the looting of small antiquities. Sustainable tourism is tourism that respects both locals and travellers, as well as the environment, culture and heritage of a place in the long-term. Implementing sustainable tourism worldwide can help lessen the frequency of pillaging of valuables as it focuses on the integrity of all aspects of tourism.

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Appendix

I.   http://unesdoc.unesco.org/images/0014/001461/146118e.pdf (UNESCO Handbook)

This virtual handbook contains plenty of information on the current approaches to preventing illicit trafficking in cultural heritage, which may provide you with ideas and feasible solutions that you can build up on.