National Research Alliance ILLICID
Objectives, Design, Preliminary Findings
UN SC Resolution 2199 (S/RES/2199 [2015]), § 17 „... decides that all Member States shall take appropriate steps to prevent the trade in Iraqi and Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011 ...”
Framework (international)

- **UN SC Resolution 2253 (S/RES/2253 [2015]), § 15:** „Expresses increasing concern about the lack of implementation of resolutions 1267 (1999), 1989 (2011), and 2199 (2015), including the insufficient level of reporting by Member States to the Committee on the measures they have taken to comply with its provisions and calls upon Member States to take the necessary measures to fulfil their obligation under paragraph 12 of resolution 2199 ... and calls upon Member States to report also such interdictions of antiquities, as well as the outcome of proceedings brought against individuals and entities as a result of any such activity;”
UN SC Resolution 2347 (S/RES/2347 [2017]), § 8: „Requests Member States to take appropriate steps to prevent and counter the illicit trade and trafficking in cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance originating from a context of armed conflict, notably from terrorist groups, including by prohibiting cross-border trade in such illicit items where States have a reasonable suspicion that the items originate from a context of armed conflict, notably from terrorist groups, and which lack clearly documented and certified provenance, thereby allowing for their eventual safe return, in particular items illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011 …“
 NATIONAL ALLIANCE OF LEADING RESEARCH INSTITUTIONS

INNOVATIVE RESEARCH DESIGN COMBINING ACADEMIC AND NON-ACADEMIC EXPERTISE (TRANS-DISCIPLINARY, TRANS-SECTORAL)

‘DARK FIELD’ RESEARCH (EXPLORATIVE STUDY)

SYSTEMATIC ANALYSIS OF ILLEIT TRAFFIC IN ARCHAEOLOGICAL OBJECTS MAINLY FROM IRAQ AND SYRIA (‘DARK FIELD’ SEGMENT “EASTERN MEDITERRANEAN”)

ASSOCIATED PARTNERS INCLUDE UNESCO, ICOM, FEDERAL CRIMINAL POLICE OFFICE, FEDERAL FOREIGN OFFICE, FEDERAL COMMISSIONER FOR CULTURE AND MEDIA, GERMAN COMMISSION FOR UNESCO

INITIAL FUNDING 1,2 MIO. € (2015-2018) BY THE FEDERAL MINISTRY FOR EDUCATION AND RESEARCH (“SECURITY RESEARCH” PROGRAMME)
Overall Objectives

- Identify / develop criminological methods for a systematic analysis of the illicit trade and trafficking in cultural property in Germany (object types, turnover, networks, operation modes etc.)
- Identify / develop procedures and instruments directed at countering the illicit trade and trafficking in cultural property on a national level
- Assess potential / dimension of money laundering and terrorist financing
Research Programme

1. Researching and analyzing object types and object flow (analog / digital)
2. Identification and documentation of agents, networks, routines (typology)
3. Development and implementation of a digital object repository (persistent data storage, mobile access)
4. Development of an IT tool for automated object search (‘learning system’)
5. Best practice guide and policy recommendations for government authorities and stakeholder groups
Research Design: Partners

- Stiftung Preußischer Kulturbesitz (coordinator):
  - Prof. Dr. Markus Hilgert

- GESIS - Leibniz Institut für Sozialwissenschaften
  - Dr. Nicole Biedinger

- Fraunhofer-Institut für Sichere Informationstechnologie
  - Dr. Martin Steinebach
Research Design: Associates

1. Auswärtiges Amt
2. Beauftragte der Bundesregierung für Kultur und Medien
3. Bundeskriminalamt Wiesbaden
4. Bundeskriminalamt und Sicherheitsakademie (Austria)
5. Deutsches Archäologisches Institut
6. Deutscher Museumsbund e. V.
7. Deutsche UNESCO-Kommission e. V.
8. Heidelberg Zentrum Kulturelles Erbe, Universität Heidelberg
9. Hessisches Landeskriminalamt
10. Hochschule Harz, Fachbereich Verwaltungswissenschaften
11. The International Council of Museums
12. UNESCO
13. Verband unabhängiger Kunstsachverständiger e. V.
14. Zentrum für Europäische und Internationale Strafrechtsstudien, Universität Osnabrück
15. Zollkriminalamt Köln
Council Regulation (EC) No 1210/2003 of 7 July 2003 concerning certain specific restrictions on economic and financial relations with Iraq and repealing Regulation (EC) No 2465/96, banning the import, export or dealing in Iraqi cultural property exported from Iraq after 6 August 1990 (Article 3)

2016 Cultural Property Protection Act

1. **Import provisions:** cultural property illegally exported from a State Party of the UNESCO 1970 Convention is considered illegally imported into Germany; legal import of cultural property protected by a State Party’s legislation is only possible with *valid export license* from the respective State.

2. **Return provisions:** right to return for all cultural objects illegally exported from another State Party to the UNESCO 1970 Convention after the date of both the requesting State’s and Germany’s ratification of the UNESCO 1970 Convention (Germany ratified on 26 April 2007).
2016 Cultural Property Protection Act

3. **Due diligence**: *Due diligence provisions* not only for professional art market, but also for private individuals selling cultural property (e.g. online auction platforms); new law makes explicit reference to ICOM Red Lists of Cultural Objects at Risk.

4. **Penal sanctions**: stronger penal sanctions (up to five years of imprisonment) and administrative offences in case of violation of the requirements for import, export, and due diligence.
Preliminary Findings: 1. Qualified Data Gathered

- Object typology (e.g., identification, authenticity, origin, turnover, provenance information, itineraries, retail price)
- Due diligence
- Agents, networks, routines, instruments (typology)
- Efficiency of research design and trans-sectoral cooperation
- Short-term impact of 2016 Cultural Property Protection Act
## Preliminary Findings: 2. Instruments (GESIS)

### National Relevant Stakeholders Survey (2017)

<table>
<thead>
<tr>
<th>Respondents</th>
<th>Survey Mode</th>
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<tbody>
<tr>
<td>dealers</td>
<td>personal interview and online survey</td>
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<td>museums, university collections and other cultural institutions</td>
<td>online survey</td>
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<tr>
<td>law enforcement, customs</td>
<td>online survey</td>
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<tr>
<td>restorers/conservators</td>
<td>online survey</td>
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<tr>
<td>experts/assessors</td>
<td>online survey</td>
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</tbody>
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Preliminary Findings: 2. Instruments (GESIS)

- questionnaire design
- cognitive pretest
- questionnaire programming
- respondents acquisition

- interviewer training
- conducting personal interviews
- implementation of online survey

- processing of the results
- data analysis
- reporting
Gibt es an Ihrer Institution Richtlinien bei der Akzession von archäologischen Objekten? Wenn ja, welche Richtlinie gilt für das jeweilige Ursprungsland?

Bitte machen Sie Ihre Angaben für Objekte aus dem östlichen Mittelmeerraum und den angrenzenden Gebieten wie im folgenden Beispiel zum Elfenbeinhandel in Thaila.

<table>
<thead>
<tr>
<th>Thailand</th>
<th>Nein</th>
<th>Ja</th>
<th>Welche?</th>
<th>Washingtoner Artenschutz von 1973</th>
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<tbody>
<tr>
<td>Ägypten</td>
<td>Nein</td>
<td>Ja</td>
<td>Welche?</td>
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<td>Griechenland</td>
<td>Nein</td>
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<td>Irak</td>
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<td>Iran</td>
<td>Nein</td>
<td>Ja</td>
<td>Welche?</td>
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In den folgenden Fragen bitten wir Sie um Ihre Einschätzung zur Entwicklung des Handels mit archäologischen Objekten aus dem östlichen Mittelmeerraum und den angrenzenden Gebieten.

Bitte in jeder Zeile das Zutreffende angeben.

Hat sich die Anzahl der... seit 2010 verändert?

- Objekte insgesamt ...
- Objekte ohne Unterlagen ...
- Hochpreisigen Objekte ...
- Günstigen Objekte ...
- Ursprungsländer, aus denen die Objekte ursprünglich kommen ...
- Verkäufer, die sich auf solche Objekte spezialisiert haben ...
- Verkäufer, die solche Objekte anbieten ...

<table>
<thead>
<tr>
<th>erhöht</th>
<th>verringert</th>
<th>gleich geblieben</th>
<th>keine Einschätzung möglich</th>
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Automated keyword query with search results
Preliminary Findings: 2. Instruments (Fraunhofer SIT)

- Automated image query

- Automated search results
Preliminary Findings: 3. Strategies

1. Systematic, permanent monitoring by experts
2. Enhanced monitoring through ICT
3. Recurrent stakeholder surveys
4. Cooperation with *all* stakeholder groups
5. Systematic, annotated object repositories
6. Intensified cooperation and data exchange between concerned authorities / institutions on a national level
7. Permanent availability of academic object expertise for law enforcement authorities
Contact information

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Thank You!

BMBF - VERBUNDVORHABEN
ILLEGALER HANDEL MIT KULTURGUT IN DEUTSCHLAND

ILLICID

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Direktor Vorderasiatisches Museum

Stiftung Preußischer Kulturbesitz