

## **The Significance of International Coordination in the Fight Against Cultural Racketeering: The Launch of the Cairo Conference**

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Abstract

### **Overview**

The Egyptian Revolution of the 2011 Arab Spring broke down existing governance structures as well as traditional law and order. After President Hosni Mubarak was overthrown, the military mobilized to stabilize the country and support the transitional government until a democratic election could take place. Yet security forces' aggressive tactics during this period turned the police into targets of anti-Mubarak civilians and other revolutionaries, and many rank and file police officers have now gone underground.

The resulting lack of a law enforcement presence across the country – including the antiquities police -- deprived many archaeological sites, storages units and even museums of protection at a time when it was needed most. This absence of law enforcement combined with an active campaign by certain extremist elements of the Muslim Brotherhood led to an alarming increase in raids against Egypt's storied historical and cultural heritage.

The attack against the Egyptian Museum in Cairo was a tragic and ominous moment for those fighting against cultural racketeering. While the extent of the looting and

destruction was minimal compared to what would later occur under ISIS in Iraq and Syria, the targeting of such a visible symbol of Egypt's long and diverse history made a bold statement. This attack marked the beginning of an industrial-scale campaign by extremists to use culture as a weapon to undermine governments, terrorize those with beliefs that differ from their own twisted religious views, and fund their campaigns of brutality.

It became clear in the midst of this chaos that there was a need to bring the regional governments together to coordinate efforts to fight against this attack on their shared heritage and, where possible, break down the networks using the sale of antiquities to fund terrorism. The Arab Republic of Egypt volunteered to host the first #CultureUnderThreat conference as part of its campaign against terrorism. It marked the start of a coordinated effort across the Middle East and Northern Africa (MENA) by governments to combat the looting, trafficking and destruction of heritage. This model of bringing countries together with similar interests and goals to coordinate efforts on heritage, while not a unique concept, has not been well executed in the heritage space. But if successful in the MENA region, it could serve as a model in other parts of the world, including South America and Asia, where the looting and trafficking of antiquities is of on-going concern and is financing organized crime.

## **The Origins**

After the January 2011 Revolution in Egypt, reports reached Washington DC that mass looting was taking place at major archaeological sites, local museums and storage units, perpetrated or at least encouraged by political factions opposed to the Mubarak regime. Satellite imagery revealed the extent of the problem. Illicit digging was taking place on a massive scale across all major archaeological sites – near the Pyramids, Saqqara, Dashur. Only the Valley of the Kings and Queens was saved because of the loyalty and dedication of the local people who set up civilian patrols, often at risk to their own lives.

One of the most brazen attacks occurred in 2013, when extremists affiliated with the Muslim Brotherhood looted and then burned the Malawi Museum outside of Cairo. At the same time, they attempted to destroy the Islamic Museum with a car bomb. The attack damaged 179 masterpieces of Islamic art, including many glass lights and bottles created over 800 years ago. Egypt's heritage community has rallied against the campaigns of destruction. The staff of the Islamic Museum managed to repair all but 10 of the pieces. This was clearly a terrorist attack, as reflected in the comments by Egypt's Minister of Antiquities Dr. Khaled el-Enan upon the museum's re-opening, that the moment "embodies Egypt's victory against terrorism, its capability and willingness to repair what terrorism has damaged, and to stand against terrorist attempts to destroy its heritage."

Today, many in the West view what is happening across the Middle East as a crisis in culture. While this is undoubtedly true -- and while culture is worth protecting because of its own merits -- the reality is that looting and destruction of heritage is part of a much more ambitious and devastating campaign by terrorists.

Violent extremist groups see the power from using “culture” and its various elements – religions institutions and practices, historic sites, museums, rituals – as a weapon its fight for power and glory. This practice hits the economies of the countries it targets by threatening the largest tourist attraction – its culture heritage, which is often the bedrock of the job market, as well. These terrorists realize that targeting one of the largest portions of the economy will also weaken the governments of these countries, many whom already have only a tenuous grasp on power. Their ability to strike at these symbols of a country’s past as well as its religious heritage undermines confidence in the ability of the government to protect their people.

These extremists also use cultural cleansing to terrorize local populations. In addition to the lives that have been lost or uprooted, these groups have attempted to eradicate the history of people and religions who do not share their twisted interpretation of Islam.

As sophisticated users of social media, groups such as ISIS also recognize the public relations value in destroying ancient monuments. The video released on the destruction of the artifacts in the Mosul Museum, as well as the bombings in Palmyra landed ISIS on the front page of newspapers and on television around the globe. It has the added

value, tragically, of raising the value of the items that have been looted from that site as they are now irreplaceable.

Looting and trafficking of antiquities has been occurring as long as there has been buried treasure. It is not unique to any one country or culture. The Nazis used the plunder of art and antiquities for profit as well as to eradicate history that did not align with their skewed version of reality. So too did the Khmer Rouge.

Yet, this practice has been taken to a new and terrifying level in the Middle East, following the Arab Spring. The looting first observed in Egypt has now been adopted and enlarged into a systematic campaign in Iraq and Syria by ISIS. With a near endless supply of antiquities across the region buried beneath sands, ISIS-style archaeology is truly an “extractive industry”. It is no coincidence that records uncovered during a raid by Special Forces in 2015 showed that ISIS had placed its Ministry of Antiquities on par with its Ministry for Oil in the organization’s hierarchy – both involve digging for gold.

There is a definite hypocrisy in the actions that ISIS and other extremist groups have taken. While they make front page news around the world for their seizure of the historic site of Palmyra in the name of saving the purity of Islam, at the same time, they are clearing out the storage units and vaults to sell what they can to willing collectors. At the same time they call for destruction, they are profiting from the sales of these items on global markets.

Experts have not reached consensus on the size of the profits that the extremists make from this trade, but agree that the practice is increasing. Satellite imagery of the region, as well as anecdotal evidence -- such as the receipts seized during the Abu Sayyaf raid which totaled over \$1.5 million for a three month period -- all suggest that looting is a major and growing part of the terrorist trade.

## **The Challenge**

As the Arab Spring spread across the MENA region, so did the threat to its heritage. It was clear that no one country would be able to fight the challenge of cultural racketeering on its own; instead, it was a regional problem that required a coordinated response. Yet no existing structure through which these countries could cooperate existed, outside of the Arab League -- and that organization had not yet taken up this issue.

A number of challenges to bringing about a coordinated approach existed. One was a lack of political will to address the situation. While all governments in the region are proud of their history and its symbols, traditionally, the Ministries of Culture or Antiquities are the weakest in the bureaucratic system and the least well-funded. In the case of Egypt, the antiquities ministry's budget fell 98% after the 2011 Revolution, because its financing was directly based on tourist revenues at archaeological sites. At the time that it most needed financing to pay guards to protect the sites, it was unable to even pay its own employees.

A second challenge was the fact that “culture” was not viewed as a foreign policy or economic issue, and therefore is not considered a priority, especially in times of crisis like what was seen during the Arab Spring. Understandably, the humanitarian crisis and attempting to stabilize the government required the full attention of the each country’s leadership. But when the immediate crisis was over and law and order reestablished – to some degree – little emphasize has been placed on protecting the museum’s, storage units, archaeological sites in any MENA country.

Finally, while it was clear that widespread looting was occurring, there was no international outcry, no organized effort to help protect these sites, and, in fact, little information about the extent of the problem. In the source countries, such as the United States, the issue of antiquities looting and trafficking barely reached the attention of a mid-level official at the State Department.

### **The Need for Champions**

To make progress, it was first essential to change the narrative around the issue. Only by explaining the crisis in terms that made sense to the high level policy makers, can we start to make inroads into raising awareness and bringing about the necessary action to start to fight the problem. And, as happens with most important causes, it also took engaging people who would be willing to champion this cause.

In the case of Egypt, it was the Deputy Chief of Mission, Ambassador Yasser elNaggar who took up the gauntlet in the fight against looting and trafficking of his country's heritage. Soon after the reports of mass looting started to appear on Facebook and other social media, we commissioned satellite imagery from GeoEye to verify the extent of the problem. Dr. Sarah Parcak, Dr. Eric Cline, Peter Herdrich (then head of the Archaeological Institute of America) and myself met with Ambassador elNaggar to show him the extent of the problem as seen in the imagery.

In addition, our team had organized a white paper, developed by leading experts in archaeology, law enforcement, former government officials and diplomats to share with the Egyptian government on ways that we could support their efforts to help protect the antiquities during a time of crisis. I was invited by the Egyptian government to lead a delegation to Egypt to discuss specific and practical ways that we might help. The result was the first Public Private Memorandum of Understanding between a private organization and the Egyptian Ministry of Antiquities.

Mr. elNaggar has previously served at the United Nations and across the Middle East so had a deep understanding of the political and economic implications of terrorist targeting heritage in his country. These funds, it was becoming increasingly clear, were being used to fund terrorism. At the same time, looted antiquities from Egypt began showing up in Europe and the United States. He led an effort to work with Christie's and Ebay to establish coordinating mechanisms to prevent illicit Egyptian antiquities from being sold through their outlets. It was clear to him that action was needed by

different ministries in the Egyptian government if progress was to be made in stopping this crime.

It also was clear that it would require regional support, as well as recognition of the international organizations and the source country governments. As ISIS continued its march of destruction across Iraq and Syria, awareness was growing in the West of the humanitarian and cultural crisis that the MENA region was facing. A crisis of culture was now having foreign policy, economic and even national security implications. To be success, we need to identify and support champions in each of the countries where we work.

### **The Cairo Conference**

It was in this context that we approached government of the Arab Republic of Egypt about bringing together leaders in the region to explore areas of common interest and develop practical solutions to the problem. It was important that this conference be held at the highest levels of government, and that it be hosted by the Foreign Ministry – not the Ministry of Antiquities. If we were to build the necessary political will to coordinate action across the region, it required the blessing of the most powerful parts of the government systems.

The Egyptian government convened the first #CultureUnderThreat Conference on May 13-14, 2015 in Cairo, co-hosted by UNESCO, the Antiquities Coalition and the Middle

East Institute. Held under the auspices of the Office of the President, it brought together Ministers from ten countries to identify the challenges and threats that faced their countries from antiquities trafficking and its linkages to terrorist financing. Irina Bokova, the Director General of UNESCO spoke, and the Secretary of the Arab League also attended to show his support.

On the morning of May 13, the ten Ministers shared their concerns about the growing use of culture by violent extremists organizations. Leading experts on archaeological, counter-terrorism, law enforcement, and international law from the United States and Europe, as well as international institutions such as UNESCO, UNODP, and UNIDROIT were on hand to lend their expertise to the deliberations and provide ideas of practical solutions to consider.

A consensus was quickly reached that this group needed to develop a coordinated plan of action as part of the regional fight against terrorism. The resulting Cairo Declaration, negotiated by the hosts and the country representatives, was subsequently released on behalf of the attendees and declared:

*Recognizing the continuing threat to our economic, cultural well-being and national security as a result of antiquities looting, trafficking and destruction by criminal networks and extremist groups, the Governments of Egypt, Libya, Sudan, United Arab Emirates, Saudi Arabia, Iraq, Jordan, Lebanon, and Oman agreed at a Ministerial Conference*

*held in Cairo on the 13th and 14th of May 2015, to launch immediate joint efforts to stand against the abovementioned threats.*

The Cairo Declaration was the first time that the governments in the MENA region pledged their coordinated support for the fight against cultural racketeering. While the Ministers in attendance agreed to this document, it was issued on behalf of the countries, not just at the Ministerial level. Before the world's media, they declared their intention to fight together against cultural racketeering.

Even more important, the countries committed to take specific action. It was not enough just to provide a show of political support; in order to be taken seriously, specific actions were necessary to turn that political will into results. Specifically, the governments committed to the following actions:

- *Launch a Cultural Racketeering Task Force consisting of a senior representative from each country to coordinate efforts.*
- *Establish an International Advisory Committee, which will advise the task force on ways to fight cultural racketeering.*
- *Initiate an awareness campaign in demand countries to discourage purchases of looted antiquities.*

- *Consider the possibilities to start negotiations with international partners as the United States and The European Union on a “Regional Cultural Memorandum of Understanding” which would lead to the ban of dealing in looted antiquities.*

- *Raise awareness campaigns aiming to protect cultural property against illegal digging and excavations, while implementing harsher sanctions on those who attempt illegal excavations.*

Since the May 2015 Cairo Conference, the Antiquities Coalition has been working with the individual governments – through the embassies and in their capitals – to implement this ambitious agenda. A coordination process has been developed through with the diplomats in Washington to ensure momentum is maintained.

Another benefit of the Cairo Conference was that it captured the attention of the U.S. government. While the State Department pledged its interest at the political level to working with countries to support them, its action had not gone much beyond studying the problem in Syria, and convening once a year in New York. After the Conference in Cairo, and the clear demonstration of the countries in the region of their interest in coming together in this fight, the State Department’s Near East desk increased their involvement in the issue of antiquities, with noticeable results.

The policy towards cultural memorandums of understanding (MOUs) , for example, changed significantly. Both an important tool in public diplomacy as well as a critical

means of cutting off access to the U.S. market to looted antiquities, these MOUS are an important option for a country whose heritage is under attack. Yet at the time of the Cairo Conference, not a single one had been negotiated with any MENA country. Iraq had received a similar type of protection to the one that the MOUs provide but through legislation that was passed after the looting of the Iraqi Museum, which received worldwide attention.

Fortunately, the Arab countries saw not only the benefits of seeking a bilateral agreements, but also committed to exploring a regional agreement through the Arab League. Egypt had already started the bilateral MOU process and offered, along with Iraq, to explore with the Arab League the possibility of it negotiating one with the United States on behalf of its members.

This past December, the Egyptian Foreign Minister, Sameh Shoukry signed the Egyptian agreement with his U.S. counterpart, Secretary Kerry. Minister Shoukry reiterated the importance of Egypt signing this agreement as part of the campaign against violent extremism and urged the Arab Ambassadors present to consider starting this process on behalf of their own countries.

To date, several countries, including Morocco and Algeria, have submitted their formal requests to start the negotiating process. We expect to see several others follow suit. The concept of the regional MOU is still under discussions in the Arab League with its

members, and we hope to see some results announced by the time of the Third #CultureUnderThreat conference to take place in Cairo.

### **The Amman Conference**

The MENA region countries came together again in Amman, Jordan at the invitation of His Excellency, the Deputy Prime Minister Nasseh Judeh. Jordan hosted the second #CultureUnderThreat in Amman, Jordan. The rise in attendance to 17 Ministers at the Amman Conference, almost the complete membership of the Arab League, demonstrated the growing awareness and interests of the MENA countries in coordinating efforts to break the linkages of antiquities trafficking and looting with financing violent extremism – as well as their continuing concerns.

To show their strong concern, the attending governments issued the following statement as part of the Amman Communiqué:

*Recognizing the continuing threat to our cultural heritage, economic prosperity and national security from antiquities looting, trafficking illegal excavation and destruction by organized crime networks and violent extremist organizations, the Governments of the Hashemite Kingdom of Jordan, United Arab Emirates, Kingdom of Bahrain, Republic of Tunisia, People's Democratic Republic of Algeria, Kingdom of Saudi Arabia, Republic of Sudan, Republic of Iraq, Sultanate of Oman, State of Palestine, State of Qatar, State of Kuwait, Lebanese Republic, State of Libya, Arab Republic of Egypt, Kingdom of*

*Morocco, Islamic Republic of Mauritania, Republic of Yemen, and League of Arab States met at the second annual ministerial #CultureUnderThreat Conference to strengthen regional cooperation in the fight against cultural racketeering.*

Also, the MENA task force established in Cairo met for the first time, and negotiated a five point action plan for coordination in the region. Part of the intent in creating this task force was to have one individual or “champion” who took responsibility for coordinating on behalf of his country with the other members of the task force and the broader community. The task force agreed that its efforts would be concentrated in the following areas:

- *Information Sharing Mechanisms: Establish mechanisms to strengthen information sharing, particularly in the areas of best practices, antiquities auctions, financial aid, and the possible establishment of a provenance verification System for antiquities sold overseas.*
- *Cultural Memoranda of Understandings: Launch bilateral negotiations with “demand” countries, and invite the Arab League to look into strengthening regional collaboration in the fight antiquities racketeering.*
- *Capacity Building: Provide border patrol and customs agents with comprehensive training on combating the illicit antiquities trade, ensure that local law enforcement agencies play a primary role in the prevention of the illicit trafficking of cultural*

*properties, and explore methods of collaboration and support among regional, subregional and UN organizations.*

- *Heritage Jobs Initiative: Establish a pilot project with interested countries to test job creation opportunities around heritage sites.*
- *Awareness Campaign: Create and launch an awareness campaign against the purchase of "blood and looted antiquities" that was agreed upon during the May 2015 #CultureUnderThreat Conference.*

In addition, the State Department sent a representative to the Amman Conference, who proactively encouraged countries to submit the diplomatic note necessary to start formally the negotiation process for a cultural MOU. He even went as far as to circulate a draft of the necessary letter in English and Arabic. These messages were also reiterated through the U.S. Embassies in the MENA countries and in subsequent meetings with the diplomats in Washington. As mentioned earlier, a number of these countries are in the process of developing their submissions or preparing to start the process.

While not a complete solution, these MOUs are an important part of a needed comprehensive effort to stop the illicit trade in antiquities.

## **Looking Ahead**

Egypt has volunteered to host the third #CultureUnderThreat conference in Cairo this summer. At that time, the MENA task force will meet officially for the second time,

although subsets of the group have been meeting on an on-going basis to implement the plan of action. They will need to report to the Ministers on the progress to date in this fight, so a flurry of action is expected in the lead up to this event.

The actions agreed upon by the countries are not difficult, nor are most of them anything that is new. As always with working with governments, the biggest challenge is just maintaining the momentum, ensuring that the issues remains on the radar screen of the key officials and providing resources (financial and expertise) in the implementation of these requirements.

The Antiquities Coalition along with the Middle East Institute has created an International Advisory Committee to provide much needed expertise to the MENA governments. The Committee is helping in developing awareness campaigns aimed at both source and demand country markets. It also is helping to establish pilot projects to try to build economic opportunities around heritage in these countries or to prepare for them in those countries still in crisis so it can be part of the peace and reconciliation process. And the Committee will organize capacity building training, especially in the legal and customs enforcement areas, on the margins of the second Cairo Conference.

Arrangements are being finalized for the second Cairo Conference, but the expectation is that in addition to the priorities laid out by the MENA task force, this year there a mechanism will be established to have a more formal process for working with the art market players in the demand countries. Both the art market and the countries have

expressed an interest in exploring ways to work together to create protocols and processes to better handle the licit trade and coordinate efforts to halt the illicit trade.

## **Conclusion**

The mission of the #CultureUnderThreat conferences is to create an action-oriented event to bring the regional governments together on an annual basis to explore how they can work together. Even the participants in the initial conference were surprised by how much each country has in common in this fight – even those that might disagree on many other issues. The issue of antiquities trafficking and destruction is apolitical at a national level, as is the fight against financing terrorism. The conferences serve as a mechanism to build relations, explore new ideas, and promote coordination. It is progress on the content that will ultimately determine the success of these efforts, however. While some governments are more active than others, they are all willing and interesting to be a supporting part of this fight. Together, these countries will be able to be able to make a significant difference the battle against cultural racketeering.

Hopefully, this structure will also serve as a model for countries in other parts of the world to emulate in their own fight to protect their heritage.