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ILLICIT TRAFFICKING OF CULTURAL OBJECTS BY FORCED MIGRANTS

ABSTRACT

Some sellers and buyers in global centres of trading and consumption of art and antiquities try to change attitudes towards cultural goods from zones of conflict and crisis by asserting that many or most have been transferred by refugees. Some law enforcement agents and humanitarian aid workers deny that there is any evidence of such flows. With a primary focus on the people who are involved rather than the objects that are handled, through open-source research, this paper documents more than a century of cases of illegal appropriation (through looting or theft), export and trading of cultural objects by internally displaced persons and externally displaced persons, who have been forced to leave environments of oppression, genocide, war, terrorism and economic-environmental degradation in Latin America, Africa, Asia and Europe, and who are forced to engage in subsistence crime. Due to a range of factors that are considered under the limitations of the evidence, little of the material relates to events in Europe in the 20th century.

However, this is being discussed at a time when the management of migration and the policing of crime are being merged into a policing of “crimmigration”. So, this paper challenges the risky perceptions among market actors that legal collections are significant sources and that refugees with legal or illegal collections are significant actors. Purchases of undocumented antiquities are more likely to finance violent political organisations. Law enforcement agencies and migration management agencies should adapt by protecting subsistence criminals and mobilising their intelligence against the violent political organisations that are driving displacement.

KEYWORDS: ANTIQUITIES LOOTING, ANTIQUITIES TRAFFICKING, CRIMMIGRATION, CULTURAL PROPERTY CRIME, FORCED MIGRATION, ILLICIT TRAFFICKING OF CULTURAL OBJECTS, SUBSISTENCE CRIME, SUBSISTENCE LOOTING, SUBSISTENCE TRAFFICKING.

INTRODUCTION

Around the height of international concern with the security crisis in the Arab world, a ‘topical question’ was posed in a discussion of how Nordic countries could collaborate to stop illegal trafficking of cultural objects. The Nordic Liaison Officer in Bulgaria and Romania for Nordic Police and Customs Cooperation wondered ‘whether the influx of refugees also [brought] along a flux of cultural objects’ (Ervik 2017: 44).

A contemporary study for the War Crimes Unit of the Dutch National Police did not present any foundational evidence, yet believed that it was ‘likely’ that some ‘refugees use[d]’ illicit antiquities, like any other accessible assets, ‘to finance their journey’ (van Lit 2016: 65). Similarly, financial crime risk management consultants did not cite any corroborating source, yet advised that ‘refugees of war may also loot cultural property as a means of survival and [to] better their chances at reaching safety’ (Fintrail 2022). Norwegian Peo-

ple's Aid (2015) 'is responsible for assisting all UNHCR-recognised refugees who arrive at Oslo (Gardermoen) Airport for resettlement in Norway; and, between 1994 and 2015, assisted more than 27,000 people, who ranged from Congolese to Syrians to Afghans; yet 'never experienced anyone bring[ing] in any illegal artifacts'. Moreover, it is known that some portable 'objects of cultural value', which had been treasured as cultural assets and could have been converted into economic assets, have been 'left behind', precisely because they were not absolutely 'essential items' for some asylum-seekers from Syria (Gibbons 2017: 61). Ultimately, Nordic Police and Customs Cooperation concluded that there was 'no basis for confirming this hypothesis, even though the possibility' could 'not be discarded' (Ervik 2017: 44).

With regard to the absence of evidence, it is possible that, before they interacted with Nordic law enforcement agencies, security agencies and/or social support agencies, refugees had sold or delivered any cultural assets to cover the cost of the journey or to ease the burden of resettlement, had been robbed by people smugglers (since mentions of 'violent deaths [and] robberies' at their hands are 'ubiquitous' in interviews of refugees by Dempsey 2020; see also Regional Mixed Migration Secretariat 2017), gangs (Araia and Monson 2009), armed groups (Al Jazeera 2020) or simply opportunistic criminals (Nagai *et al.* 2008: 260; Fernández 2023), or had abandoned any cultural assets because their legal status had been secured and their social protection had been guaranteed. It is possible that, when refugees interacted with agents, those agents simply did not see illicit antiquities, as a valuable ancient coin could have been put in a wallet among tens of valueless modern coins. It is possible that agents saw but did not recognise any illicit antiquities, as ancient jewellery could have been worn as contemporary handicrafts and non-specialists might not have been able to distinguish between legally-protected cultural goods and legally-unregulated cultural goods. It is further possible that, when managing irregular migration, particularly when managing the migration crisis, law enforcement agents lacked the expertise, the personnel and/or the time (and social support agencies did not have those capacities or the responsibility) to police the smuggling of cultural objects as well. The author of the cur-

rent study was stopped and strip-searched twice on the Turkish-Greek border between 2015 and 2016, was stopped and searched numerous times at various border crossings across South-eastern Europe in the 2000s and 2010s, yet was only ever checked for rite of passage and illicit possession of alcohol, tobacco, narcotics and/or firearms. Asylum-seekers may also have been robbed of cultural goods, as they have been robbed of other goods, by agents of border guards (Mourenza and Malichudis 2023; Reeve and de la Cuetara 2021; Strik 2020; Syrians for Truth and Justice 2020), police forces (Hess and Petrogiannis 2020) or armed forces (Human Rights Watch 2016).

There has also long been evidence for subsistence digging by insecure members of local communities from West Africa to West Asia (Hardy 2015a). In Mali, victims of environmental crisis 'sometimes tur[n] to looting as a way to survive' (Sidibé 2001: 27). In Niger, victims of economic crises turn to looting 'at the limit of [their] daily survival' (Gado 2001: 58; see also Labi and Robinson 2001 on Nigeria). In Palestine, most looters 'dig as a way of surviving poverty' (Yahya 2010: 98, 97). In Jordan, victims of economic crises turn to looting in 'a desperate effort to feed their families' (Politis 1994: 15; see also Bisheh 2001: 115). During the civil war in Syria, 'poverty and lack of work opportunities forced simple farmers to dig [loot]' (according to an eyewitness, interviewed by Almohamad 2022: 67). In the multidimensional crises in the aftermaths of wars in Iraq, 'forbidding people from looting archaeological sites would [have] mean[t] condemning them to starvation' (Farchakh Bajjaly 2007: 52; see also Foster, Foster and Gerstenblith 2005: 220; Russell 1996). It only stands to reason that the same choices would be made by other people in the same situation.

There is a coincidence between flows of cultural objects and flows of forced or involuntary migrants, in the same way that there is a coincidence between flows of cultural objects and flows of other people or other goods (Kathimerini 2016; Roland 2015). Again, logic infers *some* looting and trafficking of cultural assets as economic assets, as has been documented for other available, portable and convertible assets (cf. Friedman 1998; Kim 2015; Mac Ginty 2004: 862–863; Rubenstein 2010).

Indeed, a journalist (personal communication, 29 November 2015) witnessed child refugees from Guatemala ‘by the roadside in El Salvador [around] 1993’, who were ‘selling Mayan figurines’. The author of the current study was offered cultural objects in Greece by refugees from Afghanistan in the early 2000s and, during research and capacity-building, heard various mentions of intersections between flows of forced migrants and flows of trafficked antiquities throughout the 2010s.

Furthermore, established experts, with clear access to unpublished data, have stated that ‘small objects [petites pièces]’, such as ‘jewellery, coins, statuettes [and] religious books [bijoux, monnaies, statuettes, livres religieux]’, are ‘increasingly carried [de plus en plus souvent véhiculées]’ into Europe ‘by the massive influx of refugees [par l’afflux massif de réfugiés]’ from North Africa and West Asia, ‘who use them as a very practical trading currency to pay the smugglers [qui s’en servent comme d’une monnaie d’échange très pratique pour payer les passeurs]’ (e.g. Michel 2020: 63). However, naturally, they have not been able to publish their confidential, corroborating data.

Nonetheless, neither theoretical logic nor anecdotal evidence demonstrates the existence of a significant flow, let alone a common phenomenon. As demonstrated by the disagreements over the *existence* of such activity, there has been no sustained study of it and there is no accepted body of evidence. Indeed, another reason that Nordic Police and Customs Cooperation found ‘no basis for confirming this hypothesis’ (Ervik 2017: 44) was that no study had been published.

In the end, there has been an understandable yet nevertheless manifest lack of attention paid to the phenomenon by law enforcement agencies, security agencies and scholars of archaeology, heritage, crime, security and forced migration; there has been justifiable evidentiary caution about the reliability and significance of the isolated cases that have been observed in the course of other work; and there has been justifiable moral concern about the human implications of any potential responses of state and society at a time when the phenomenon of migration in and of itself is widely identified as a crisis, particularly when ‘crime control and immigration control’ are being merged into ‘crimmigration’ control (Stumpf 2014: 237). Therein, its potential consequences for forced migrants are par-

ticularly significant, as cultural property crime may be (in the United States) legally judged to be or (in other jurisdictions) implicitly recognised as a crime involving moral turpitude (CIMT) which may be punished by deportation (Stumpf 2014: 241).

Consequently, until now, the disparate observations that have been compiled in this study have simply gone unnoticed or have otherwise been dismissed, downplayed or obscured. Yet, at least in the case of illegal handling of cultural property, it may not help anyone to turn a blind eye to this potential issue. This cedes the ground of the discussion to anti-migration activists, who have a vested interest in issues that taint the perception of forced migrants, and collectors and dealers, who have a vested interest in issues that may serve as moral neutralisation of their risky handling of undocumented cultural goods.

This preliminary open-source research identifies a multitude of primary sources, including netnographic data, as well as secondary sources, which document activity that has never been subjected to extensive analysis. Due to a range of factors that are considered under the limitations of the evidence, little of the material relates to events in Europe in the 20th century. Then, with a primary focus on the people who are involved rather than the objects that are handled, this study traces empirical foundations for assertions of intersections between forced migration of people and financially-compelled trafficking of antiquities; it insists on simultaneous caution against careless repetitions of such assertions, due to the potential harm of the misunderstanding and misuse of evidence; and it argues for policies that minimise cultural harm, as a component of efforts to minimise humanitarian suffering, since humanitarian suffering and cultural harm can form a vicious circle.

DEFINITION

Cultural objects

There are innumerable legal, academic and popular definitions of archaeological goods underwater, underground, on the ground and in standing structures; more or less historic artefacts, religious artefacts and artworks in standing structures, public collections and private collections; and other contemporary objects, which may gain the status

of significant objects through the nature of the objects themselves and/or the treatment of those objects. Even when only considering the law, the definitions of protected objects and the extent of that protection, plus the existence and nature of prohibited actions (such as looting, theft, smuggling, illegal export, illegal import, trafficking, illegal sale and/or illegal purchase), typically vary between states and occasionally vary between jurisdictions within states or even between categorisations of lands and properties within jurisdictions.

The present study could not be conducted according to a narrow definition, which would inevitably exclude cultural objects that are significant for their communities of origin, especially when so many of the sources that recorded suspected crime with cultural property by forced migrants were neither legal proceedings nor academic studies. Consequently, the objects of the study's analysis encompassed those that had been identified as antiquities, artefacts or equivalent terms by the sources that recorded their looting, theft, smuggling and/or trafficking. Nonetheless, these fell within the definition of 'cultural property' as property that has 'importance for archaeology, prehistory, history, literature, art or science', according to UNESCO's (1970) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

Forced migrants

Information was sought on the illegal handling of cultural objects as a subsistence strategy of forced migrants. Wherever possible, on the basis of identifiable, accessible and assessable sources, "forced migrants" encompassed refugees who were displaced before the establishment of international conventions. They also encompassed externally displaced persons who were refugees that were in receipt of protection under international humanitarian law, due to persecution of their race, nationality, religion, particular social group (such as a trade union or a minority of sex, gender or sexuality, including victims of intimate partner violence and other domestic abuse in jurisdictions where there is a denial or failure of state protection) or political opinion (which may include resistance to violence on the basis of sex, gender or sexuali-

ty), according to the United Nations' (1951) refugee convention (since it came into force in 1954). Likewise, they encompassed refugees who were in receipt of protection under regional humanitarian law, on the basis of generalised or otherwise indiscriminate violence, according to the refugee convention in Africa (Organization of the African Union, 1969), since it came into force in 1974; the refugee declaration in Latin America (Colloquium on the International Protection of Refugees in Central America, Mexico and Panama, 1984), as it has been implemented or derivative legislation has been adopted by various states since then; and the refugee directive in the European Union (European Parliament and Council of the European Union, 2011), since it came into force in 2012. Equally, they included externally displaced persons who were in receipt of support that technically avoided their categorisation as refugees under international law, such as temporary protection. Concomitantly, they included asylum-seekers who were in search of guaranteed safety. Furthermore, they encompassed internally displaced persons (or IDPs), who could not have had official status under international law and may not have had official status under national law.

Since displacement by environmental degradation and resource conflict (which are typically products of political economy, rather than ecological inevitability, cf. Erdoğan and Cantürk 2022; Morales-Muñoz *et al.* 2020; Niazi and Hein 2017; Norwegian Refugee Council 2008) is still involuntary displacement, refugees and IDPs included environmentally induced forced migrants (cf. Dun and Gemenne 2008: 10) and other political-economic migrants (cf. Achiume 2017: 143), as well as specifically-persecuted refugees. Obviously, the legal statuses of the people in the cases that are cited in this study are not known to the author.

METHOD

Identification of the evidence

To ensure open science – accessibility, assessability and reproducibility – the methods of data collection were simple. Initially, relevant sources were identified among the first 100 results of searches on Google Scholar for: antiquities+asylum+seekers; "antiquities"+"asylum seekers"; an-

tiquities+refugees; and “antiquities”+“refugees”.

Then, relevant sources were identified among the first 100 results of searches on Google Books for: refugees+antiquities+looting; refugees+antiquities+smuggling; and refugees+antiquities+selling.

Further relevant sources were identified among the first 100 results of searches on Google for: “antiquities”+“refugee”; “antiquities”+“refugees”; “artefact”+“refugee”; “artefact”+“refugees”; “artefacts”+“refugee”; “artefacts”+“refugees”; “artifact”+“refugee”; “artifact”+“refugees”; “artifacts”+“refugee”; “artifacts”+“refugees”; “displaced”+“antiquities”+“trafficking”; “displaced persons”+“antiquities”; “displaced persons”+antiquities+looting; “displaced persons”+antiquities+smuggling; “displaced persons”+antiquities+selling; “refugee camp”+antiquities+looting; “refugee camp”+antiquities+smuggling; “refugee camp”+antiquities+selling; “refugee camps”+antiquities+looting; “refugee camps”+antiquities+smuggling; “refugee camps”+antiquities+selling; refugees+antiquities+looting+caught; refugees+antiquities+looting+detained; refugees+antiquities+looting+arrested; refugees+antiquities+smuggling+caught; refugees+antiquities+smuggling+detained; refugees+antiquities+smuggling+arrested; refugees+antiquities+selling+caught; refugees+antiquities+selling+detained; refugees+antiquities+selling+arrested; “refugee”+charged+“antiquities”; “refugee”+prosecuted+“antiquities”; and “refugee”+convicted+“antiquities”.

In addition, the crises in Syria and Iraq prompted notable public discussion regarding trafficking by refugees. So, relevant sources were identified among the first 100 results of searches of media in early transit countries – specifically in Iran’s Tehran Times, Iraq’s Baghdad Post, the Jordan Times, Lebanon’s Daily Star and Turkey’s Hürriyet Daily News – and searched both internally through their own online archives and externally through Google, for: refugees+antiquities.

Apart from the aforementioned, incidentally-learned information in the introduction, which was incorporated in ways that confidential sources could not be identified directly or indirectly, only open sources (or almost-open sources, such as Google Books) were used (including concurrently, incidentally-identified information from

netnography), so no ethics approval was required. Where relevant sources (e.g., Hardy 2019c: 389) had cited other sources (e.g., Graham 1979: File 54/114, cited by Gutchen 1983: 227n37; Matsuda 1998a: 57–61), the original sources were used. Where potentially relevant sources did not clearly present looting for the conversion of cultural assets into economic assets, those sources were excluded.

For instance, Rajagopalan (2016: 219n75) stated that, in the maelstrom of the partition of India and Pakistan in 1947, some ‘storehouses’ of monuments and museums had been ‘looted... by the refugees’, but seemingly implied that they had been ransacked to destroy cultural assets – subjected to iconoclasm by extremists among the refugees; and Vesti (2022) stated that four suspected looters, who were citizens of Ukraine with ‘temporary residency [привремен престой]’ in North Macedonia, had been caught and arrested at the specifically-protected site of Isar near Marvinci, in possession of three metal-detectors, shovels and dug-up antiquities, but did not categorise or otherwise indicate that they were asylum-seekers rather than migrant workers. Neither of these cases was secure enough to be included.

The identities of sources in online forums and social networks – open-source data from online ethnography or netnography – were anonymised and coded by their location (not their origin or identity), their activity and an arbitrary distinguishing number. So, a Ukraine-based artefact-hunter might be UAAH001.

Limitations of the evidence

Although this study also attempted to capture particularly rich evidence in relation to ongoing crises in West Asia, it did seek evidence of the phenomenon regardless of time or place. Yet, it may have found disproportionately less evidence of the phenomenon in the 20th century (or earlier) than in the 21st century and/or in Europe than in other regions (beyond West Asia). This appears to be a result of a combination of a dearth of published data, wherein significant concern with intersections between cultural property crime and migration is a recent phenomenon, which has been bound up with significant concern with intersections between cultural property crime and

security; a dearth of available sources, wherein inaccessible sources are more likely to be older sources; and a mismatch between key words and everyday words, wherein older sources may be more likely to identify the goods by either more specific terms such as their particular types or less specific terms such as “heirlooms”, as well as less likely to characterise the transfers as *illegal* transfers.

Furthermore, mass digitisation and online archiving of publications in open sources or almost-open sources, such as Google Books, has enabled the recovery of evidence that would previously have been invisible or would only have re-entered the specialist discussion of cultural property crime through serendipitous reading. It was known that at least one relevant source (Naylor 2008) was available in Google Books, yet it did not appear in the checked results. At the same time, publishers’ prevention of search engines’ indexing and/or previewing of journal articles, books and media reports and media organisations’ intermittent removal of published reports have prevented the identification or analysis of some online evidence. The undervisibility of some sources and invisibility of other sources reaffirm that this sample is an under-representation of the size of the body of evidence.

LOOTING AND TRAFFICKING BY INTERNALLY DISPLACED PERSONS

There is tentative evidence that, depending on the situation, displacement can either increase looting, by increasing the presence of people without sustainable livelihoods or sufficient aid and reduced cultural property policing (cf. Hardy 2014: 462), or reduce looting, by reducing the presence of looters and traffickers and increasing securitisation (cf. Casana and Laugier 2017: 22). Either way, as it has been prompted by one crisis after another, subsistence looting and subsistence trafficking by internally-displaced persons can be documented across more than a century. At the start of the 20th century in the territory of the Ottoman Empire that is now Syria, ‘Circassian refugees’ collaborated with locals in the looting of sites around Raqqa (according to eyewitnesses, cited in correspondence between the

excavation officer of the Imperial Museum of the Ottoman Empire and the director of education for Halep Province in 1906 and 1907, and cited in the appendices of an exhibition catalogue by Jenkins-Madina 2006: 199).

Such activity spans the globe. In Mali, by the 1990s, Gao had ‘expanded dramatically... to accommodate refugees from the Sahel droughts’; due to this urban encroachment and development, formerly rural cemeteries were subjected to ‘illicit digging’ (Insoll 1993: 630). In Guatemala, sites have been occupied and looted by refugees who have been subjected to ‘relocation’ after their return from exile in Mexico (Paredes Maury 1999: 16).

Such activity can be seen to persist. At the start of the 21st century in Turkey, internally displaced persons, who had been forced to migrate by domicidal infrastructure projects, ‘turned to antiquities trafficking to replace lost income’ (Taylan and Arca 2001). In Afghanistan, illegal excavation is ‘occasionally’ conducted ‘by people from refugee camps’ (Teijgeler 2015: 56).

In Syria, ‘conditions are so bad in refugee camps that many people’, including the relatives of the source in a refugee camp in Syria near Turkey, ‘have been forced into illegal excavation to earn some money’ (according to Participant 6, cited by Brodie and Sabrine 2018: 78). Online traffickers in Syria include ‘vulnerable populations’ of internally displaced persons who are ‘subsistence looters’ (al-Azm and Paul with Graham 2019: vi). Some internally displaced persons, such as Participant 6, sometimes deal in cultural objects (cited by Brodie and Sabrine 2018: 78).

For instance, within the UNESCO World Heritage site of the Ancient Villages of Northern Syria, in the ancient city of al-Bara, ‘new residents’ (recently displaced persons) ‘broke into the royal tomb to sell its contents as antiques [*sic* - antiquities]’ (al-Ibrahim and Fayyad 2015); they ‘destroyed the old royal tomb in order to sell it as antiquity pieces’ (SIRAJ and ARIJ 2016). Elsewhere within the World Heritage site, in Shinshirah (also known as Shinshra, Shenshara and Shemshara), where informally-encamped internally displaced persons had been hit by regime forces with barrel bombs and air strikes (according to the Association to Protect Syrian Archaeology and the Damascus Bureau, cited by Heritage for Peace 2014), people ‘smashed up stones from ancient

houses into smaller pieces to sell them' (al-Ibrahim and Fayyad 2015). They were 'selling ancient rocks to raise funds that would allow them to build new houses' (SIRAJ and ARIJ 2016) or simply 'to afford potable water' (according to civil society activist Hammoud al-Juneid, cited by Damascus Bureau 2014). This problem appears to have persisted (cf. Nassar and Atieh 2020).

LOOTING AND TRAFFICKING BY EXTERNALLY DISPLACED PERSONS

Likewise, subsistence looting and subsistence trafficking by externally displaced persons can be documented across decades. In flight from China's occupation of Tibet since 1950, 'refugees' took 'cultural objects' such as 'textiles, statues, jewellery, manuscripts, furniture, sacred objects, and costumes' and 'sold [them] for sustenance' in Nepal, where they were bought up then sold off on the markets of the United Kingdom and the United States (Smith 2022: 265).

In the aftermath of the Indo-Pakistani War of 1965, refugees (as well as others) who moved between India and Pakistan 'smuggle[d] out... looted antiquities' and other commodities instead of inconvertible currency (Naylor 2008: 69).

Such activity also spans the globe. In the 1970s, 'treasures' were 'looted... by refugees' who were 'fleeing the Khmer Rouge' (Mydans 1999); they 'brought sculptures across the border to Thailand, where there were dealers ready to receive them' (according to Cambodian archaeologist Sopheap Meas, interviewed by Christodoulou with Beale 2022). At the same time, 'Cambodian refugees' in Thailand 'who lived in the camps near the Thai border were trained' by foreigners from outside the region 'to go into the temples scattered all over the [jungles] to look for whole statues and torsos and heads of statues' (Lafont 2004: 2; see also Lafont 2004: 37–38).

From the 1970s onwards, in Latin America, there has been 'subsistence digging' of cultural assets by 'internally and externally displaced peoples' (Matsuda 1998a: 3). In Belize, evidence includes participant testimony of bartering by a dealer of 'clothes, food, and medicine for *artifacts* [artefacts]' extracted through subsistence digging by displaced persons (Matsuda 1992: 34;

by the end of his study, he had interviewed 400 subsistence diggers in Central America, 'most' of whom 'were refugees from civil violence and economic despair', cf. Matsuda 1998b: 91). There, 'illegal residents' – in other words, externally displaced persons from Guatemala, Honduras, Nicaragua and El Salvador – carried out 'much of the looting' (Graham 1979: File 54/114, cited by Gutchen 1983: 227n37; see also Matsuda 1998a: 57–61; 112, for an ethnography of 144 subsistence diggers in the country). 'With the government [of Belize] cracking down on the marijuana trade, more and more refugees [largely from Guatemala, though also from Honduras, El Salvador...] are being forced into pillaging sites just to survive. We get a few things back when the police catch someone' (according to archaeologist Logan McNatt, cited by Wright 2000: 36 – bracketed insertion in cited source).

It also emerged in the aftermath of the ousting of the authoritarian monarchy and the establishment of the authoritarian theocracy in Iran in 1979, during the war between the Soviet Union and Afghan Mujahedeen between 1979 and 1989 and the war between Iran and Iraq between 1980 and 1988. Refugees who fled from Iran, if not also refugees who fled to Iran, tried to convert their assets and so became involved in 'the black market in... antiquities', where corrupt 'Pasdaran' – soldiers of the Islamic Revolutionary Guard Corps (IRGC) – 'collected a tithe' on their illicit transfer (Naylor 2008: 232). Such petty corruption will inevitably feed off subsistence trafficking in other cases as well, in the same way that it feeds off ordinary trafficking.

Again, likewise, such activity persists. In the 2000s, there was the smuggling and selling of antiquities by displaced persons from Afghanistan in Pakistan (according to dealers, cited by Ansari 2002: 18), plus the attempted selling of forgeries (according to an anonymous Quetta-based antiquities dealer, cited by Ansari 2002: 19). "Relics", including 'endangered Buddhist and Hellenic statues' were 'sold' to antiquities dealers in Pakistan by 'displaced Afghans' (according to Peshawar-based antiquities dealer Naseer Ahmed, paraphrased by Baldauf 2001). 'Dealers regularly visit[ed] Pakistan's sprawling refugee camps, such as Jalozai', Shamshatoon and a transborder camp that spanned from Spin Boldak in Afghanistan to

Chaman in Pakistan, ‘to purchase Afghan antiquities’ (Ansari 2002: 18); the refugee camp of Kacha Garai near the trading hub of Peshawar was a ‘centre for the trafficking of Afghan antiquities’ (according to the Institute for War and Peace Reporting, after its investigative journalists, Redden with Malak and Awreen 2010, had interviewed a tribal leader in the camp and antiquities dealers in the city).

While opinion varied as to whether the export of statues from Afghanistan was constricted under the Taliban (according to Peshawar-based coin-and-statue dealer Nadir Khan, cited by Baldauf 2001) or ‘increased’, wherein dealers ‘regularly’ had clients from Japan, the United Kingdom, the United States, Pakistan, Saudi Arabia and Kuwait (according to Peshawar-based antiquities dealer Haji Razzaq, paraphrased by Ansari 2002: 18), and while transfers were sometimes ‘delayed’ by events in the war (as explained by Peshawar-based antiquities dealer Haji Razzaq, paraphrased by Ansari 2002: 18), so many sculptures were being smuggled out of Afghanistan, that dealers ‘d[id] n’t have space to store’ all of them (according to Peshawar-based coin-and-statue dealer Nadir Khan, quoted by Baldauf 2001).

In the 2010s, historic artefacts such as religious manuscripts were ‘stolen [dérobés]’ from religious schools (zawiyas or madrasas) by refugees from Mali, Mauritania, Niger and Nigeria and bartered or sold in Morocco, Tunisia, Algeria, Turkey, the Gulf, Europe and North America (according to Dune Voices 2015). Cultural objects were ‘an indispensable treasure [un trésor indispensable]’ for those refugees, as they were the ‘greatest guarantee of being able to afford the costs of the journey [plus grande garantie pour pouvoir se payer les coûts du voyage]’ (according to a refugee from Niger in Morocco, Salima, paraphrased and quoted by Dune Voices 2015; see also the testimony of an anonymous Morocco-based antiquities dealer, interviewed by Dune Voices 2015).

Today, ‘Syrian refugees... sell artefacts at prices well below their value’, while passing through Lebanon (according to an anonymous smuggler, interviewed in a documentary by artist Maeve Brennan, paraphrased by McNutt 2017). Sometimes, refugees ‘transport material’ as couriers or smugglers, primarily into Turkey (according to Participant 5, who rents metal-detectors to small-

scale looting teams in Syria, cited by Brodie and Sabrine 2018: 78), while some refugees in Turkey serve as intermediaries with dealers from Turkey ‘who can arrange for the sale of material to foreign buyers’ (according to Participant 6, cited by Brodie and Sabrine 2018: 78). Some ‘refugees’ engage in ‘smuggling [as] the only way [that] they can afford to eat’ (according to Syrian archaeologist Cheikhmous Ali, paraphrased by Elger 2014). Some, who may or may not be in equally dire straits, also ‘try to sell small items’ for little money in Turkey (according to antiquities dealer Harun Unvar, cited by Parkinson, Albayrak and Mavin 2015).

Such flows can be traced from the earliest to the latest so-called “transit countries”, though they are also places where some of the objects as well as some of the people ultimately reside. As well as Turkey, ‘police have found items with refugees’ who have been arrested in Bulgaria, Serbia and Italy, ‘who were moving the stuff from place to place’ (according to the former head of the Antiquities Recovery Department for Iraq, Muthanna Abed Dawed, cited by Westcott 2020: 31; see also Westcott 2019).

Again, these flows include forgeries as well as antiquities. After the invasion of Iraq in 2003, ‘refugees of Iraqi origin [réfugiés d’origine irakienne]’ trafficked forged antiquities in Switzerland (according to museum conservator Jean-Luc Chappaz, cited by Roselli 2015). Since the eruption of crises in 2011, there has been a ‘massive increase’ in the trafficking of forged manuscripts by citizens of Syria, Turkey, Jordan and Israel - Palestine, who try to increase the saleability of their goods by advertising that they have been ‘smuggled out of Syria to either Jordan or Turkey by Syrian refugees’ (Interpol Jerusalem 2019; see also Hardy 2020a).

Mesopotamian-style figurines, which were found in a tent at a reception centre for refugees in Gruškovje, Slovenia, and which were initially assessed to be antiquities (cf. RTV MMC 2016), were eventually judged ‘most likely [to be] counterfeit [najverjetneje ponarejeni]’ (cf. Libnik 2017; see also Hardy 2019a). Indeed, ‘many counterfeit... items of [West Asian] cultural heritage [veliko ponaredkov... predmetov kulturne dediščine]’ and ‘tourist souvenirs [turistične spominke]’ were found during the ‘refugee wave [begunskim va-

lom]’ (according to Senior Criminal Inspector Uršula Belaj, paraphrased and quoted by Libnik 2017). Particularly as these fake figurines were abandoned at the refugee centre, rather than kept by their carriers, it is reasonable to assume that their carriers were subsistence traffickers, rather than profit-driven criminals.

Furthermore, as found in the course of other research, though their civil/political status may be questionable (see UNHCR, 2014 on avoidance of conscription), there is emerging evidence of the migration of antiquities looters to avoid the risk of harm in the war between Russia and Ukraine or the risk of forced participation in violence through military mobilisation. CZAH001 migrated from Ukraine to the Czech Republic (see Hardy and Telizhenko 2023 for more details); UKAH001, his adult son and UKAH002 migrated from Ukraine to the United Kingdom; BYAH001 migrated from Russia first to India and then Belarus; and TRAH001 migrated from Russia to Turkey. All of them made a point of taking their metal-detectors with them, when they left so many other things behind, and all of them except TRAH001 have testified to metal-detecting in their host countries. (For UKAH001, his adult son and UKAH002, it may now be a legal activity.)

LOOTING AND TRAFFICKING DURING EXTREMELY PROTRACTED DISPLACEMENT

Many displaced populations endure protracted displacement, whether it is defined by a duration of more than three years (e.g., Crawford *et al.* 2015: 5; cf. Devictor 2019) or more than five years (e.g., UNHCR 2020: 24; cf. Devictor 2019). Many endure ‘major protracted refugee situation[s]’, where populations of at least 25,000 are displaced in one country of reception for at least five years yet do not have ‘durable solution[s]’ in sight (Milner and Loescher 2011: 15). Some, such as Palestinian refugees, endure ‘extremely protracted displacement’ (Ferreira *et al.* 2020: 28), in communities and territories that have established somewhat persistent economies and somewhat functioning systems of internal governance. As for Sahrawi refugees, they may have ‘little by way of livelihoods or life prospects’ and become ‘susceptible to recruitment’ by violent political

extremists such as ‘jihadist organizations’ (Jacobsen 2017: 8).

Some of the cases that have been discussed have occurred under these circumstances. Other cases have worsened or emerged in the immediate aftermath of displacement, then persisted as the situation has turned into first protracted displacement then extremely protracted displacement. For instance, it is believed that displaced small-scale farmers (*campesinos*) in Guatemala ‘no doubt’ continue to ‘discover unrecorded’ cultural objects and sometimes engage in opportunistic looting of such incidental finds (Yates 2014: 34).

Financial need was a genuine reason for displaced persons’ involvement in the trafficking of the Dead Sea Scrolls, as well as a cynical instrument for their bargaining in negotiations over possession and profit (Irving 2021: 119–120). The looting of the necropolis of Jericho, Tell es-Sultan, intensified after the recovery of the scrolls which have been attributed to Qumran since 1946–1947; it further intensified as the refugee camp of Aqbat Jabr was established nearby in 1948, then developed into a suburb of the local town of Ariha/Jericho (Nigro 2006: 106). More broadly, the continued demand for papyri and other antiquities is still ‘prompting cash-strapped Palestinian refugees to scour the deserts of the Holy Land, looking for undiscovered treasure troves’ (Associated Press 2014).

In such circumstances, looting and trafficking by individuals who have experienced extremely protracted displacement would partly be driven by the circumstances of their displacement and partly be related to the provision of support and the realisation of integration or return. Nonetheless, it would basically be comparable to everyday subsistence digging in other circumstances of physical and socio-economic insecurity, and profit-driven crime in other circumstances of political instability. So, its reduction would primarily be dependent upon development, education, public engagement and policing.

That *may* have been the case for displaced Palestinians during the Lebanese civil war, as there were ‘clandestine excavations’ at the Palestinian refugee camp of al-Bass/el-Buss near Tyre in Lebanon in 1990 (Seif 2015: 72), which extended towards if not into the UNESCO World Heritage site, whereafter finds were advertised on the local market through a local dealer. In this and other

cases, due to the lack of a legal instrument for seizure, the finds were recovered through “rescue”-by-purchase; private funds were raised to buy the finds for a public collection, thereby preventing their disappearance into the international market (Seif 2015: 72). Such recovery mechanisms may cause other and greater harms, both to the victimised community who are financially compelled to extract antiquities and to the cultural heritage that is supposedly “rescued” (cf. Hardy, 2020b; 2021).

Likewise, this *may* have been the case for pre-historic arrowheads that had been ‘collected in the Free Zone’ or Liberated Territories of the Sahrawi Arab Democratic Republic in the Western Sahara and sold in the Sahrawi refugee camp of Smaara near Tindouf in Algeria in 2002 (Brooks 2005: 426). Similarly, a home in Hitteen Refugee Camp (also known as the Schneller Refugee Camp) for displaced Palestinians in Jordan was raided and its ‘resident’ was detained, because he had been trying to sell 21 Roman and Byzantine antiquities, ‘includ[ing] gold, bronze and stone statues’ (Petra 2015).

However, many individuals and communities move back and forth with the ebb and flow of violence or insecurity (World Bank 2017: 49), as within Nigeria or between Nigeria and Cameroon and within Afghanistan or between Afghanistan and Pakistan. Indeed, there is specific evidence of this in relation to cultural goods. As persistently unsettled Afghans repeatedly traverse the border, dealers in Pakistan ‘often place orders with refugees’ for when they return to Afghanistan (Ansari 2002: 18).

DISCUSSION

The legal status of private collections of suspect cultural objects

Unlike “ordinary” private collections of looted antiquities, which might be characterised as private collections of tainted cultural objects *in the possession of politically-powerless persons*, private collections of sincerely or insincerely “rescued” antiquities, which are typically private collections of tainted cultural objects *in the possession of politically-exposed persons (PEPs)*, are sometimes accorded – or treated as if they have

been accorded – a peculiar legal status. For instance, during the civil war in Cyprus, the Greek Cypriot administration allowed ‘illegal’ collecting by Greek Cypriot collectors of ‘illicit’ antiquities from Turkish Cypriot looters under a ‘silent accord’, which was concomitantly never established in law, then legalised those collections (Hardy 2014). In Guatemala, the state has facilitated the re-import of looted antiquities and the legalisation of collections of “rescued” antiquities through omissions of declarations of illegal origins (Hardy 2020b). In Pakistan, the state has not prosecuted or denounced the collecting of stolen artefacts from Afghanistan by its (now past) prime minister and internal security minister (Hardy 2021). Contrarily, Norway has compelled the repatriation of supposedly “rescued” goods to Afghanistan and Pakistan (Hardy 2021).

Due to the fact that private collections of careful criminals resemble private collections of careless good-faith buyers in their limited record-keeping, which can suffice to prevent the production or preservation of forensic evidence of the legality or illegality of a possession, the contents of any private collection of undocumented cultural objects can have a questioned legal status. For instance, following a police operation to investigate Martin Schøyen’s antiquities collection by Norway’s National Authority for Investigation and Prosecution of Economic and Environmental Crime (Økokrim), with assistance from the Museum of Cultural History of the University of Oslo (UiO KHM), the National Library of Norway (NL) and the Department of Archaeology, Conservation and History of the University of Oslo (UiO IAKH), the public records were found to contain ‘opaque, generic, and often conflicting’ statements and the private records were found to contain ‘generic, euphemistic or potentially fictitious’ statements (UiO KHM 2022: 4). Even when a false record could be identified, the source(s) of that misinformation – the collector, his suppliers and/or their suppliers – could not. Additionally, sometimes, the legal status of the possession could not be determined either.

Misunderstanding of antiquity flows by antiquities markets

Art and antiquities markets express concern

that regulation to prevent conflict financing and other criminal exploitation of cultural goods from conflict zones might prevent subsistence sales of legal possessions by refugees (e.g., Antiquities Dealers' Association 2016; British Art Market Federation, cited by the United Kingdom House of Commons Culture, Media and Sport Committee 2008: Ev. 13–17; Tompa 2014). For example, a United States based coin collector 'suspect[ed that] many of the antiquities' that had arrived in Western markets since the outbreak of crises in 2011 had 'come from the private collections of four million Syrian refugees' (Snible 2015). Another United States-based coin collector, who is a lobbyist for antiquities collectors and traders, was 'interest[ed]' in 'how much material that [was] characterized as "looted" [was] actually [the] personal property of Syrian refugees', as there were 'plenty of collectors in Syria before the war amongst the educated class' (Tompa 2016). However, the existence of collections does not indicate the legality of their contents. Furthermore, the volume of antiquity flows cannot be explained by the export by refugees of "orphan works" that are legal yet can no longer be proved to be legal – and there is no material evidence of legal proceedings against such refugees. As such, an insistence upon this argument might be perceived as an excuse to minimise any regulation of the market.

Although looting, trafficking, and handling would be illegal either way, sometimes, the potential for involvement of refugees is deployed in debates over the "rescue"-by-purchase of cultural goods that have been (or are alleged to have been) smuggled out of conflict zones (see discussion in Hardy 2021; see also Hardy 2020b). For instance, while advocating "rescue"-by-purchase of antiquities that have been looted in Syria and Iraq, a United States-based member of the market aligned Committee for Cultural Policy, who is a consultant to dealers and collectors of art, suggested that 'some of the money [would] likely go to refugees' (Vikan 2015). Norway-based antiquities collector Martin Schøyen and academic collaborators such as Jens Braarvig have specifically, yet baselessly, asserted that the Buddhist antiquities in the Schøyen Collection were smuggled out of Afghanistan by refugees (e.g. Schøyen, 23 October 2000 and 21 November 2001, translated and cited by Prescott and Rasmussen 2020: 71–

72; Schøyen Collection 2010; Schøyen Collection 2020; for analysis of the case, see Lundén 2005: 3–4; Omland and Prescott 2002: 5; Prescott and Omland 2003: 10; Prescott and Rasmussen 2020). As such, an insistence upon this argument might be perceived as an attempt to valorise consumers of illegal stolen goods, whose demand drives the supply, for reducing the harm of a problem that they cause.

While this study has confirmed the existence of historically deep and geographically broad evidence of illicit trafficking of cultural objects by forced migrants, including forced migrants from Afghanistan and Syria, its piecemeal findings simultaneously suggest that it is false to present the purchase of undocumented antiquities as "likely" to benefit refugees and particularly dangerous to do so when it is more likely to benefit the violent political organisations that are driving displacement and regulating the movement of people and goods.

For instance, while, *currently*, in *some* territories, there is only evidence for *piecemeal* handling of cultural goods by forced migrants and, in *other* territories, there is only evidence for *wide-ranging* handling of cultural goods by members of violent political organisations (when this study is compared with Hardy 2019b), antiquities have been documented to have been handled by *both* forced migrants *and* members of violent political organisations in Afghanistan and Pakistan, Cambodia and Thailand, Iran, Iraq, Israel - Palestine, Lebanon, Mali, Nigeria, Russia, Syria, Turkey and Ukraine (see Hardy 2023). Furthermore, some market actors have political interests as well as commercial interests in facilitating a specifically culturally-destructive trade. For example, while some patriots, such as Peshawar-based displaced Afghan antiquities dealer Ghaznavi (who was interviewed by Baldauf 2001), who had 'Iranian, Afghan, Greek, and Saracenic artifacts', would only sell displaced Afghan antiquities when they had 'no choice' to feed their hungry family; some Islamists, such as Peshawar-based Pakistani dealer Salar (who was interviewed by Baldauf 2001), whose safe was 'full of Buddha heads and figurines', have 'support[ed] the Taliban' in its iconoclasm. This underlines the threat of the illicit trade to the very possibility of re-establishing intercommunal cultures of peace. Concomitantly, it highlights the challenges of empathetic responses

to illicit trafficking of cultural goods by forced migrants. Policing of subsistence activity that facilitates forced migration may have inhumane consequences. Yet, equally, non-policing may have other inhumane consequences, particularly when migrant flows are exploited by professional criminals, organised criminals and violent political organisations to facilitate their movement of members and dirty assets.

Exploitation of refugee flows by antiquities traffickers

In certain early transit countries, many alleged reports of trafficking of art, artefacts or antiquities by refugees actually reveal the trafficking of counterfeits, fakes or forgeries (see Handby 2023, for analysis of the trafficking of forgeries; see Hardy 2020a, for evidence of exploitation of conflict and displacement to provide false provenances for forgeries). Some forgers piggyback on crises and produce fakes that resemble antiquities from persecuted minorities or those from conflict zones, including fake conflict antiquities that are marketed as stolen by armed groups, in order to lend false legitimacy to their alleged provenance (Hardy 2017). For instance, there has been a trickle of fraudulently advertised cultural goods in Turkey, such as counterfeit Picassos that have supposedly been obtained from Iraqi soldiers (e.g., Anderson 2001; cf. Ergül n.d.) and fake antiquities that have supposedly been ‘obtained... from Syrian refugees’ (e.g., Sabah 2015; cf. Hardy 2015b). There is now a stream of fraudulently advertised cultural goods in Russia, which are fake antiquities that have supposedly been looted in Ukraine (according to a looter in Russia, RUAH002). These join a flood of genuine antiquities that were actually looted in Ukraine (according to RUAH001 and RUAH003).

If they are caught, criminals may also claim to be refugees, rather than professional criminals, members of criminal organisations or members of violent political organisations, in order to protect themselves from the risk of more serious charges by police or retribution from partners-in-crime (according to law enforcement agents in an early transit country, personal communication, 18–22 October 2015). Whether law enforcement agents are unable to disprove these lies or whether they

choose not to challenge them, as such convenient falsehoods obscure the persistence of organised crime and the financing of political violence, some false claims may enter the record.

Moreover, refugee flows may be exploited by professional criminals to obscure commodity flows. For instance, in Afghanistan, sculptures from the Buddhist monastery in Hadda were smuggled out of the country by being ‘concealed amongst the many refugees fleeing the conflict’ (Cassar and Noshadi 2015: 18).

With regard to Syria, terrorist-serving antiquities dealers, armed groups, security forces and Western officials have testified to trafficking by professional criminals who conceal themselves within refugee flows (e.g., Faucon, Kantchev and MacDonald 2017). Early in the war, perhaps ‘most of the illicitly acquired artifacts [were] smuggled into Jordan amid the daily influx of about 2,000 refugees’ (according to sources in the Free Syrian Army and Jordan’s security forces, cited by Luck 2013). In Jordan, ‘a group of men’ from Russeifa city were arrested for trying to sell weapons and a forged antiquity in the Hitteen Refugee Camp for displaced Palestinians (Husseini 2015).

In Lebanon, ‘gangs put things [among] the belongings of the refugees’ (according to the head of the Bureau of International Thefts in Lebanon, Col. Nicholas Saad, cited by Cox 2015; see also Saleh 2016; elsewhere e.g., The Docket 2022: 73, this has mistakenly been cited as evidence that antiquities were smuggled ‘by refugees’). Law enforcement agencies and security forces have intercepted cultural objects that were ‘concealed within the belongings of Syrian refugees’ by professional criminals (according to Col. Saad, paraphrased by Kadi 2015). For instance, ‘Lebanese customs at the border crossing of Masnaa... seized 18 Roman mosaic panels on a bus carrying refugees’ (according to Col. Saad, quoted by Kadi 2015).

Crimmigration

In fact, there is a ‘detectable nonzero’ association between a higher rate of immigration and a lower rate of crime *overall*, of such a tiny magnitude that it is ‘nonsignificant’ (Ousey and Kubrin 2018: 69), and a detectable, nearer-to-zero association between a higher rate of immigra-

tion and a higher rate of *property* crime, of such tiny magnitude that it is meaningless (Ousey and Kubrin 2018: 74). However, these neutral findings may obscure complexities, such as a higher rate of avoidance of all categories of crime by most immigrants at the same time as a higher rate of participation in *particular* categories of crime by other immigrants, including variations over time between entry and integration and differences between communities on the basis of the ease of their entry and integration (cf. Guia 2013; Jennissen 2013; Leerkes, van der Leun and Engbersen 2013).

Regardless, there are increasing obstacles to and restrictions on entering, remaining and integrating (Gerard and Pickering 2013; Scheel and Squire 2014), which may lead to increasing incidences of subsistence crime among forced migrants (cf. Leerkes, van der Leun and Engbersen 2013). Concomitantly, there is an increasing risk that forced migrants may be deprived of necessary protection on the basis of subsistence crime or suspected crime that is necessitated by the political violence and the crimmigration regime of which they are victims.

A very limited sample of more extensive evidence

It must also be remembered that displaced persons include professional criminals who have continued or started to handle illicit antiquities, such as internally displaced multi-commodity trafficker Ayham in Syria (Mabillard 2013); and professional crime may become subsistence crime, as it has for externally displaced multi-commodity trafficker Mohamed in Turkey, who had been profiting from smuggling antiquities since the early 2000s, but has been ‘support[ing] his extended family’ since they became refugees in the early 2010s (Giglio and al-Awad 2015). So, some cases are extremely difficult to categorise. For instance, in the early 1990s, a refugee from Bosnia ‘offered’ to sell or mediate the sale of paintings in Belgrade that had been stolen from Sarajevo (according to then-curator of the Museum of Modern Art in Belgrade, Jovan Despotović, cited by Walasek *et al.* 2015: 75).

There have been numerous sources that have presented specific cases or particular processes of

looting or trafficking by internally and externally displaced persons, on the basis of testimony from forced migrants, professional criminals, cultural heritage workers or law enforcement agents. Looting and trafficking by internally displaced persons has been conducted since the time of the Ottoman Empire and, within the last thirty years, it has been documented in Guatemala, Mali, Turkey, Afghanistan and Syria. Looting and trafficking by externally displaced persons has been conducted by refugees from China’s occupation of Tibet; refugees from war between India and Pakistan; refugees from civil war, dictatorship, genocide and occupation in Cambodia; refugees from dictatorships and dirty wars across Central America; refugees from the revolution in Iran and the war between Iran and Iraq; refugees from civil war in South-eastern Europe; refugees from war and terrorism in Afghanistan; refugees from war, terrorism, dictatorship and environmental-economic collapse across West Africa, North Africa and West Asia; and refugees from the war between Russia and Ukraine. Refugees from West Africa, North Africa, West Asia and Eastern Europe have engaged in online trafficking to reach markets in Western Europe and North America and beyond.

However, much evidence may have been incidentally excluded, due to the keywords for data-gathering and the everyday words for cultural objects among refugees, authorities, academics and journalists; standard practices in the media/publishing industry; and subjects of interest to authorities, academics and journalists. For instance, due to the design of the study, non-English-language sources (e.g., Dune Voices 2015) were practically excluded. Likewise, less prominent sources (e.g., Hussein 2015; Petra 2015; RTV MMC 2016) were obscured in searches on Google and even searches on news platforms by more heavily weighted sources, including false-positive results. However, English-language, open-access work-in-progress included material from French, German, Slovenian and Turkish sources (e.g., Hardy 2015b; 2016: 9; 2017; 2019a), thereby (unsurprisingly) demonstrating that they do exist. For instance, Greek reporting has included testimony that ‘refugees who travel through Greece have carried objects (gold coins, seals [, etc.]) as a form of extra income [πρόσφυγες που μετακινούνται μέσω Ελλάδας έχουν κουβαλήσει

αντικείμενα (χρυσά νομίσματα, σφραγίδες) σαν μορφή επιπλέον εισοδήματος]’ (according to Syrian archaeologist Amr al-Azm, quoted in translation by Papadopoulos 2018).

In addition, while it is difficult to establish their civil/political and socio-economic status, there are online traffickers from conflict zones residing in peaceful countries, such as a ‘likely displaced’ person from Syria in Germany (al-Azm and Paul with Graham 2019: 21), who attempted to sell a fake mosaic (see discussion under ATHAR Project 2019). While some may be local operators in Europe, such as those beyond the zones of these migrant flows in West Africa, South Asia, South-East Asia and South America, online communities for illicit traffickers of cultural objects from North Africa and West Asia include administrators (and almost definitely, lower-level participants) in Bulgaria, North Macedonia, Italy, Germany, France, the United Kingdom, Canada and the United States (al-Azm and Paul with Graham 2019: 64–80), as well as administrators (and so surely also lower-level participants), who may have been displaced within the region. As noted in the introduction, there is also netnographic evidence in relation to the war between Russia and Ukraine. This, too, suggests that there is evidence that is currently out of reach, which might be teased out through oral history, face-to-face ethnography and online ethnography.

CONCLUSION: IMPLICATIONS FOR POLICY AND PRACTICE

This issue is all the more critical, as, on the basis of one piece of ethnographic testimony (e.g. Berends 2020: 52, citing Brodie and Sabrina 2018: 78; though more extensive evidence was already available, e.g. Dune Voices, 2015), the expectation that refugees may be involved in looting is now being included in guidance for cultural property protection (CPP) personnel, within and beyond the CPP specialists who are expected under the 1954 Hague Convention (High Contracting Parties, Ch. 1, Art. 7, Para. 2). Ultimately, this study confirms preliminary observations that, ‘due to global failures in civilian protection, refugee protection and migration management, asylum seekers’ and other forced migrants are being financially ‘compelled to use cultural assets’ as

economic assets (Hardy 2019b: 19). While illicit trafficking of cultural objects encompasses a much broader spectrum of actors, activities and circumstances, including organised crime, violent crime and terrorist financing within secure states in typically upper and upper-middle-income countries (alternatively characterised as the Global North/West), there is historically-deep and geographically-broad evidence of looting, trafficking, smuggling and/or sale by internally displaced persons and externally displaced persons from typically lower-middle and lower-income countries (or the Global South/East). This activity enriches existing revenue streams for corrupt officials, organised criminals and armed groups in and around conflict zones, intensifying conflict, undermining peace-building and reinforcing pathways of destabilisation along routes of forced migration.

Like the depletion of other resources, it thereby weakens any economic foundations for the return of displaced persons. Without downplaying the social, cultural and political value of sustainable economies that are built around non-cultural commodities, illicit trafficking of cultural objects (whether by forced migrants or other actors) perhaps particularly weakens the social, cultural and political foundations for the return of displaced persons and the rebuilding of mixed communities and shared lives that contribute to sustainable peace. Thus, the antiquities market should revise its perception of the possibility of subsidising refugees and reckon with the far greater risk of financing political violence and undermining the rule of law. More immediately (and perhaps more realistically), reinforcing the findings of the study for the Netherlands’ War Crimes Unit (van Lit 2016: 65-67), the possibility of illicit trafficking of cultural objects by forced migrants – and profit-driven criminals who have hidden themselves among forced migrants – should be recognised in training and procedures for migration management agencies and law enforcement agencies. While such a shift in policing involves notable attendant risks, particularly under crimmigration regimes, non-policing of trafficking by forced migrants would facilitate trafficking by professional criminals, organised criminals and violent political organisations *among* forced migrants, which would further endanger refugees from and residents in communities of origin. Furthermore,

ethical policing creates opportunities. As long as it protected refugees as victims and informants, which could also contribute to shifts in mutual attitudes among forced migrants, law enforcement agents and citizens, it could recover cultural assets, generate intelligence on violent political organisations and thereby reduce harm and risk to forced migrants and communities of origin.

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REZIME

NEDOZVOLJENA TRGOVINA KULTURNIM DOBRIMA OD STRANE PRISILNIH MIGRANATA

KLJUČNE REČI: PLJAČKANJE ANTIKVITETA, TRGOVINA ANTIKVITETIMA, KRIMIGRACIJA, KRIMINAL U KULTURNOM NASLEĐU, PRISILNA MIGRACIJA, NEDOZVOLJENA TRGOVINA KULTURNIM DOBRIMA, KRIMINAL U CILJU PREŽIVLJAVANJA, PLJAČKANJE U CILJU PREŽIVLJAVANJA, TRGOVINA U CILJU PREŽIVLJAVANJA.

Postoje tvrdnje da su dobar deo kulturnih dobara iz zona sukoba i kriza prenele izbeglice, odnosno migranti. Pojedini organi za sprovođenje zakona i humanitarni radnici negiraju da postoje dokazi o takvim tokovima predmeta kulturne baštine. Kroz istraživanje otvorenih podataka, ovaj rad dokumentuje slučajeve nezakonitog prisvajanja (kroz pljačku ili krađu), iznošenja iz država porekla i trgovine kulturnim dobrima, tokom perioda od više od jednog veka, koje su počinila interno raseljena i međunarodno raseljena lica, primorana da napuste svoje sredine usled ugnjetavanja i kriminala, ratnih i drugih konflikata. Uzroci napuštanja zemlje porekla mogu biti i pogoršavanje ekonomsko-ekološkog kvaliteta života, posebno u Latinskoj Americi, Africi, Aziji i Evropi.

Rad je nastao u trenutku kada se upravljanje migracijama i policijski nadzor nad kriminalom spajaju u politiku „krimigracije“. Dakle, ovaj rad osporava rizična shvatanja među tržišnim činiocima da su legalne kolekcije antikviteta značajni izvori zarade i da su izbeglice sa legalnim ili ilegalnim kolekcijama značajni akteri u navedenom procesu. Kupovinom nedokumentovanih antikviteta, postoji mogućnost i za finansiranje nasilnih političkih organizacija.

Organi za sprovođenje zakona, kao i organi za upravljanje migracijama trebalo bi da svoj rad organizuju tako što će zaštititi one koji zakon krše u cilju preživljavanja i iskoristiti informacije koje oni poseduju protiv nasilnih političkih organizacija koje podstiču raseljavanje.

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