

STATEMENT

OF

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REGARDING A HEARING ENTITLED

“THE EXPLOITATION OF CULTURAL PROPERTY: EXAMINING ILLEGAL ACTIVITY IN  
THE ANTIQUITIES AND ART TRADE”

BEFORE THE

U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON FINANCIAL SERVICES  
SUBCOMMITTEE ON TERRORISM AND ILLICIT FINANCE

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9:15 a.m.  
2128 Rayburn House Office Building

Chairman Pearce, Ranking Member Perlmutter, and distinguished Members:

Thank you for the opportunity to appear before you today to discuss criminal and terrorist groups' use of the illicit antiquities trade.

Archaeological site looting occurs in situations where conflict or political instability is present, there is a lack of commitment to international norms of heritage protection, or economic incentives for an individual or group outweigh other legal or cultural considerations.

I study this subject as a Research Associate at the Smithsonian Institution. Smithsonian Research Associates are senior experts in their fields who maintain a formal scholarly affiliation with the Smithsonian as well as to their home academic institution, which, in my case, is the University of Pennsylvania Museum. Research Associates bring their own outside expertise and knowledge to the Smithsonian and contribute to its mission for the increase and diffusion of knowledge. I have been appointed as a Smithsonian Research Associate since 2008, and have pursued scholarly work about cultural property protection, the antiquities trade, the intentional destruction of cultural and religious sites during conflict, and the collection of archaeological artifacts by museums. At the University of Pennsylvania Museum, I am the Director of Research and Programs for the Penn Cultural Heritage Center.

As an archaeologist and an historian, I am sensitive to how archaeological site looting results in the loss of information about where an object was found—the information that enables us to understand the past. Concerns about looting have led professional associations such as the American Alliance of Museums and the International Council of Museums to adopt ethical codes of conduct that recommend against the acquisition of looted materials in museum collections. Most museums do not want to incentivize the looting of archaeological materials or risk the reputational harm that comes with acquiring antiquities from the illicit antiquities trade. A few major U.S. institutions, such as the Smithsonian and the University of Pennsylvania Museum, adopted strong internal policies against the acquisition of such material in the early 1970s.

However, there is now growing concern and compelling evidence that archaeological site looting is implicated in the financing of organized criminal activity and other terrorist networks. It is my view that these developments may represent a recent innovation and a restructuring of the overall antiquities and art trade.

For much of the past fifty years, the illicit antiquities trade has involved regional networks of looters, intermediaries who purchase from looters, distributors who purchase from other intermediaries, and collectors. Some intermediaries and distributors are also connoisseurs with formal training in art history or archaeology. These networks have served as stable, hierarchical, and functional multi-decade supply chains. Existing laws in the United States, such as the Convention on Cultural Property Act of 1983, and current law enforcement responses are oriented toward identifying, forfeiting, and repatriating artifacts that are traded through these illicit networks.

Because of the longevity of these networks and the effect of their damage to ancient sites, many archaeologists have become familiar with the distributors and the collectors at the end stages of these supply chains. In some cases, they may be aware of the looters who pillage archaeological sites. For these reasons, the archaeological community has frequently been able to act as a resource to law enforcement investigators about the illicit antiquities trade by identifying the looters, prominent distributors, and famous collectors and collecting museums.

Many of these established networks are now unraveling. Efforts by the FBI Art Crime Team and the U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations' (HSI) cultural property unit, as well as international law enforcement agencies such as the Italian Carabinieri Art Squad, have dismantled some of the most notorious networks. A major Greco-Roman antiquities smuggling network, coordinated by the connoisseur intermediaries and distributors Robert Hecht and Giacomo di Medici since the 1960s, has now been effectively terminated due to the work of the Carabinieri and the collaboration of U.S. law enforcement agencies. Operation Hidden Idol, led by HSI, is now breaking apart a looting network led by Subhash Kapoor in India that has targeted religious sculpture. Such law enforcement actions have been determinative in disrupting regional illicit antiquities networks.

In recent years, an increasing number of reports have circulated linking organized criminal and terrorist activities to antiquities sales. Some of these accounts are more credible than others, but their frequency is sufficient to suggest that they warrant further investigation and that changes are occurring to the structure of the illicit antiquities trade. Commentators have implicated, among others, members of the Haqqani Network—which is allied with the Taliban and Al-Qaeda—in collecting protection money from traffickers moving looted artifacts from Afghanistan into Pakistan. There have also been suggestions of links between the insurgency following the Second Gulf War and the illicit antiquities trade in Iraq. Archaeological site looting began early in the Syrian Civil War and has been widespread both in regions under the control of the Assad regime and in areas held by various rebel groups. Based upon the prior experience of the Iraq insurgency, speculation has been widespread about the role of extremist groups in the illicit antiquities trade, such as the Islamic State of Iraq and the Levant (ISIL), or Daesh.

Shortly before Daesh's territorial advance across Syria and Iraq in 2014, I travelled to southwestern Turkey with colleagues from the Smithsonian, University of Pennsylvania Museum, and Shawnee State University to train a group of Syrian activists and museum staff members on how to protect cultural heritage during times of war. During our workshop, we learned more about the risks cultural heritage professionals have been facing when trying to carry out their work as well as substantive information about archaeological site looting by Daesh.

Upon returning, two Syrian colleagues and I published an opinion piece in the *New York Times*, which ran on September 2, 2014, where we outlined what we had learned about Daesh's looting activities. Based upon our conversations with our Syrian colleagues, we learned that Daesh permitted looting at archaeological sites in exchange for a percentage of the monetary value of any finds. The amount levied for this "tax" varied across the territory Daesh administered, but began at a base of 20 percent and increased according to the type of object recovered. Looters operated with a "license" from Daesh, and a representative might be assigned to oversee their work to ensure the proper use of heavy machinery and to verify accurate payment of the tax. Some excavations were conducted by semiprofessional field crews who came to Syria from Iraq and had prior experience looting ancient sites there.

Since 2014, media stories have attributed Daesh's income from the illicit antiquities trade to monetary figures that strain all reasonable belief. Nevertheless, such hype should not distract us from the fact that looted antiquities have been found in the possession of Daesh leaders and militants. The Abu Sayyaf raid by U.S. Special Forces inside Syria, which targeted a key financial manager, resulted in the recovery of antiquities, Islamic-period coins, and an antique religious manuscript. In recent weeks, other artifacts from the Mosul Museum have been recovered from the home of Daesh militants. Additionally, in late 2016, the Italian government confirmed that Daesh had expanded its

organized looting activity into Libya as part of a collaborative enterprise with the Calabrian ‘Ndrangheta.

In my opinion, concluding that definitive evidence exists to establish a relationship between an organized criminal network or terrorist group and the illicit antiquities trade requires a particularly high threshold of confidence in the underlying accuracy of the information. As researchers, we can only make these interpretations with careful investigation. Unlike the more traditional illicit antiquities trade, which archaeologists have known well, these recent developments require additional study and interdisciplinary collaboration with criminologists and political scientists who are more familiar with research about illicit criminal networks and terrorist groups. The Conflict Culture Research Network, a group of fifteen U.S. and international universities and museums, is now beginning to develop these collaborations. I coordinate this research network, and the National Science Foundation supported its planning.

How might the stable, hierarchical, and functional multi-decade supply chains that have fed the illicit antiquities trade to date be changing? With the introduction of organized criminal and terrorist actors into the illicit trade, we might expect the supply chains to remain hierarchical but to become irregular and adaptable. The looters engaged in pillaging an ancient site are likely to remain the same because some basic knowledge is required for recovering archaeological material. But, the intermediaries purchasing antiquities from looters are likely to be different. This stage of the supply chain is the most probable entry point for organized criminal and terrorist actors. These buyers are likely to be opportunistic and to treat antiquities as a resource similar to other illicitly trafficked conflict resources such as diamonds, oil, and coltan (an ore for electronics). We would expect criminal and terrorist actors to be involved with the illicit antiquities trade only in so far as it was profitable. We would also anticipate that their participation would vary according to the underlying market value of the antiquities, access to distributors, collector demand, and the perceived and actual success of international efforts to restrict the sale of illicitly trafficked antiquities on legal art markets.

Finally, it is also important to note that the association between archaeological site looting and criminal groups is not only an international problem. In the United States, Native American archaeological sites have been targeted by looters, particularly in the Southwest, who are searching for pottery and other materials for sale to intermediaries and distributors in domestic and international art markets. At the border of Oregon and California, where I conduct an archaeological project, looters target Native American arrowheads and human remains. Arrowheads are sold to local intermediaries and distributors, while human remains, in particular, human skulls, enter a U.S. illicit market about which we know very little. What we do know is that these activities have been associated with other criminal enterprises, including the illegal sale and distribution of methamphetamines. Recent investigations by the U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service, Oregon State Police, and the Klamath Tribes have resulted in successful arrests and convictions. The extent to which there is a nexus between Native American archaeological site looting and large-scale, drug-related criminal networks is unknown.

In summary, there is good reason to suspect that the illicit antiquities trade is going through a reconfiguration that involves the integration of organized criminal networks and terrorist groups. The extent of their involvement will only become clear as additional research is conducted. Researchers at the Smithsonian and other collaborating institutions in the archaeological community are looking to address this topic in order to ensure the protection of cultural heritage for future generations. I am happy to answer any questions from the Committee, as I am able.