



**UNODC**

United Nations Office on Drugs and Crime

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Conflict Antiquities: Forging a Public / Private Response to Save the Endangered Patrimony of Iraq and Syria

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Excellencies,  
Distinguished participants,  
Ladies and Gentlemen,

Allow me to begin by thanking the Metropolitan Museum of Art and the United States Department of State.

We at the United Nations Office on Drugs and Crime (UNODC) are honoured to be part of this very important initiative to protect cultural heritage and mobilize the international community.

In recent years, the world has witnessed the growing involvement of organized criminal and terrorist groups in the destruction, looting and trafficking of cultural property, and its sale through all kinds of markets. In a 2011, UNODC estimated that the proceeds of transnational crime related to art and cultural property amounted to some 0.8 per cent of all illicit financial flows, between 3.4 and 6.3 billion dollars.

Today I want to focus on three points:

**1) International Framework**

First, I would like to stress that there is a solid legal framework in place. The international community has long developed international instruments specifically related to the protection of cultural property under the auspices of UNESCO (with the milestone 1970 Convention) and UNIDROIT.<sup>1</sup> In order to more effectively address the issues of terrorists exploitation of cultural property, the Security Council of the United Nations has itself recently adopted two important resolutions: **Resolution 2199 (2015)** recognizes the close link of the illicit trafficking in cultural property with the financing of terrorist

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<sup>1</sup> The Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted by the General Conference of the UNESCO on 14 November 1970; the Convention on Stolen or Illegally Exported Cultural Objects, adopted by the UNIDROIT on 24 June 1995; and the Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted at The Hague on 14 May 1954; and the two Protocols thereto, adopted on 14 May 1954 and 26 March 1999.

activities of ISIL, ANF and Al-Qaida. It calls upon Member States to take appropriate steps to prevent the trade in Iraqi and Syrian cultural property.

The relationship between trafficking in cultural property and the financing of terrorist activities had been also acknowledged by **UNSC resolution 2195 (2014)**, which noted that terrorists profit from, among other activities related to transnational organized crime, the selling and trafficking of artefacts. Resolution 2195 also requests Member States to strengthen border management to prevent illicit trades.

The **United Nations Convention against Transnational Organized Crime (UNTOC) (2000)** and the **International Convention for the Suppression of the Financing of Terrorism (1999)** are also of relevance to ensure the criminalisation, effective investigation and prosecution of trafficking in cultural property and its exploitation to finance terrorist groups. These conventions enjoy near universal membership and as such provide a strong basis for joint action.

**The United Nations Convention against Corruption (UNCAC)** is equally important, as trafficking in cultural property would be difficult if not impossible without corrupted customs officers, border police and the complicity of private sector dealers.

I would also like to refer to **the International Guidelines for Crime Prevention and Criminal Justice with Respect to Trafficking in Cultural Property and Other Related Offences**, adopted by the GA last December. UNODC facilitated the development of these guidelines that are the first instrument to set out standards for the criminalization of trafficking in cultural property.

We therefore have a strong set of international provisions, most of them being mandatory for all Member States, that can and should be enforced to prevent and tackle the destruction, looting and trafficking of cultural property.

## 2) Strengthening the framework

This brings me to the second point, and to how we can contribute to ensure full enforcement of the mentioned framework.

Please allow me to stress that the trafficking in cultural property from Syria and Iraq needs to be combatted on a global scale. From our point of view, a comprehensive response can be structured on 5 priorities:

First, particular attention should be paid to **broad criminalization** of illegal trade of antiquities by all countries, including by benefiting from the experience of national jurisdictions which already implemented UNSC 1483 (2003).

Second, we see an urgent **need for research**, through a comprehensive study to assess the extent of the trafficking, trafficking routes, countries involved as well as the common challenges in criminal justice responses to this phenomenon.

Third, we see the need **to do more to support criminal justice practitioners** in using special investigative techniques and conducting financial investigations, as well as with prosecution and adjudication, international cooperation and confiscation. From our side, UNODC is committed to supporting Member States by providing technical assistance to **strengthen legal frameworks** and **increase the capacity** of law enforcement and judicial authorities.

Fourth, responses should involve **the adoption of emergency border control efforts**, including efforts to strengthen the capacity to detect illicitly excavated or stolen cultural property and to stop the export of looted cultural property **to finance terrorism**. In this regard, the UNODC Terrorism Prevention Branch has carried out several workshops and several are planned. As an example, we organized a regional workshop on “Cross-border cooperation to prevent and suppress the financing of terrorist acts” held from 27 to 29 May 2015, in Egypt for MENA countries. We plan to hold similar workshops in the region for Lebanon, Egypt and Iraq.

Fifth, UNODC is also currently developing **a practical assistance tool** to support implementation of the mentioned Guidelines. We have collected a database of case law decisions on cultural property, as well as a directory of national authorities that can facilitate international cooperation to combat trafficking in cultural property as well as confiscation.

### **3) The role of the private sector**

I reach the third point I would like to raise with you today: enforcement of the legal framework can never be effective without the full cooperation and involvement of the private sector. The current monitoring systems (red lists of ICOM, inventories of stolen artefacts such as the Interpol database) are often not sufficient. As an example, most of the looting done by ISIL is related to artefacts which are excavated and for which there was no prior record or knowledge.

Therefore, the current situation requires that we strongly work on **curbing the demand**. To do so, we need to work together to **raise awareness**, first, about the key role that the private sector can fulfil, and second, that by failing to conduct proper due diligence, auction houses, galleries, museums, banks and collectors may be breaching the law. By bringing together private sector, international organizations and government representatives, this type of event provides a unique opportunity to brainstorm and explore opportunities to partner up (for example through the setting up of shared platforms) to work together. Under my Chair, the Working Group on Countering the Financing of Terrorism of the United Nations Counter-Terrorism Implementation Task Force (CTITF) is also planning to have some special event or discussion on the implementation of Security Council Resolution 2199 (2015), including by forging partnership with the private sector.

### **Conclusion**

In concluding, I would like to stress that the theft and trafficking of cultural property in Iraq and Syria not only fuel the activities of terrorist groups such as ISIL, but are part of a conscious attempt to destroy the region's rich history and identity. ISIL's activities have been characterised as "**cultural cleansing**" and **a war crime**, and as such they need to be prosecuted. We should all collectively do our utmost to stop this.

Thank you.