"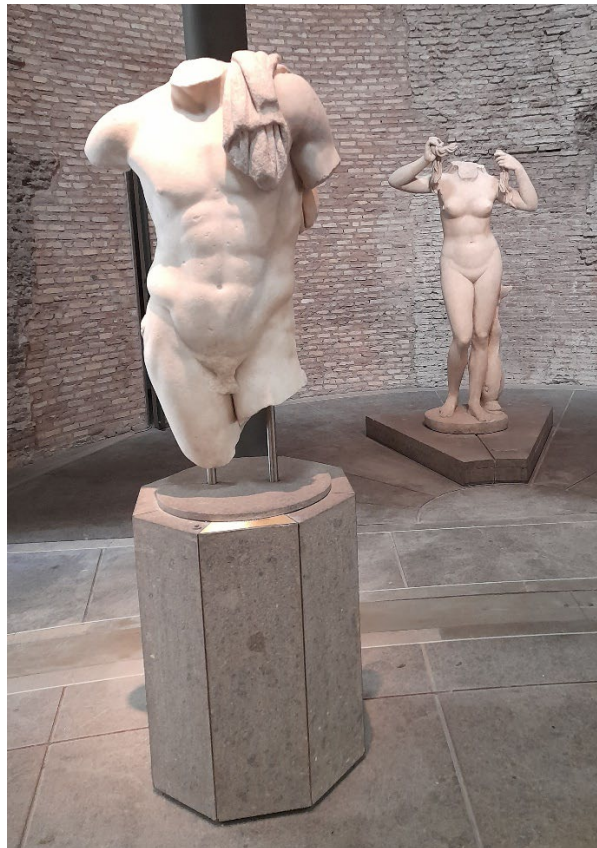PROTECTING CULTURAL HERITAGE IN THE MEDITERRANEAN REGION: IDENTIFYING THREATS TO, AND SOLUTIONS FOR, CULTURAL PROPERTY PROTECTION"

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ABSTRACT

In the 21st century culture is under constant threat. All over the world art, antiquities, archaeological sites and heritage institutions are in danger. Cultural Heritage (CH), and the Cultural Property (CP) that forms part of it, has an emotional element that connects individuals, communities and nations with their past, an educational element that teaches humankind about where they have come from and where they may be going, and a commercial value that can vary massively from the country from where it is extracted, to the country it is ultimately sold in.

Through an extensive series of interviews with expert stakeholders from the UK, US, Europe and around the Mediterranean, who work in a broad range of occupations, this thesis will demonstrate an accurate understanding of the problem and produce realistic and practical solutions to resolve, or at least mitigate, some of the current threats to CP and challenges to cultural property protection (CPP). Using the Mediterranean as a case study the information from these interviews will build an understanding of the environment and how it is exacerbating the destruction of CP, and how the conditions for people in that environment enable the exploitation of CP. It will then explore the varied risks and threats to CP, both human and natural, and how they impact CP's safe-being. Next it will evaluate the responses of law enforcement through agencies and national police forces in their attempts to conduct CPP, but also appraise the impact of specialist units that are tasked with protecting CP specifically. By evaluating the government, European Union, governmental agencies and the civilian responses by professionals, archaeologists, and non-governmental organisations it will review the impact they have through the work they do and whether their efforts are being applied in the right way. Finally, utilising the research accrued in the previous chapters, examine the ways in which cultural heritage and property (CH/P) can best be protected, and produce a solution to limit CP destruction in the future. Considering responses is not new (Brinkman, 2006; Gibbon, 2005; Fiedler, 1996), but this thesis will recommend a strategic, operational and tactical solution framework, and it will also propose the knowledge, skills and experience (KSE) required to make someone successful in a career in CPP.

By interviewing such a diverse workforce this research will harness the passion and knowledge of individuals, organisations, and institutions and use this data effectively. Only by channelling efforts into one cohered enterprise can a real advance be made towards a future where the safety and preservation of CP is guaranteed for generations to come.

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ABBREVIATIONS

BM British Museum

CH Cultural Heritage

CH/P Cultural Heritage/Property

CP Cultural Property

CPP Cultural Property Protection

CPPU Cultural Property Protection Unit

DCMS Department for Culture, Media and Sport

DFID Department for International Development

EU European Union

HS Human security

ICH Intangible Cultural Heritage

ICOM International Council of Museums

ICOMOS International Council on Monuments and Sites

ICCROM International Centre for the study of the Preservation and Restoration of CP

INTERPOL International Criminal Police Organisation

KSE Knowledge, Skills and Experience

LEA Law Enforcement Agency

LAF Lebanese Armed Forces

MAST Maritime Archaeology Sea Trust

MENA Middle East and North Africa

MOE Measurement of Effectiveness

NATO North Atlantic Treaty Organisation

NGO Non-governmental Organisation

OC Organised Crime

OCSE Organisation for Security and Co-operation in Europe

TEFAF The European Fine Art Foundation

TPC Tutela del Patrimonio Culturale

UCH Underwater Cultural Heritage

UK United Kingdom

UN United Nations

UNESCO United Nations Educational, Scientific and Cultural Organisation

UNDROIT The International Institute for the Unification of Private Law

UNODC United Nations Office on Drugs and Crime

US United States

WCO World Customs Organisation

INTRODUCTION

The destruction of art and antiquities goes back centuries, but the last three decades have seen a growth in research, conducted to tackle the looting, damage, theft and sale of CP. As debates over the ownership of CP have surfaced so have legal frameworks to protect it, and illegal frameworks for the systematic removal of CP from source countries to market countries. As the focus of law enforcement agencies remains predominantly on the trade in narcotics, weapons and people (UNODC, undated. A) criminals have been able to infiltrate a billion-dollar industry and use it to fund other criminal enterprises in those other trades (Mackenzie, 2011; Miralis, undated). These criminal activities garner vastly more attention than CP crime both academically and in terms of media coverage but this needs to change. Law enforcement agencies have already adopted risk assessment methodologies to analyse organised crime (Tusikov, 2012) but this has not been done analysing CP as the subject of criminality. CP crime is a major problem that needs to be studied, understood and then combatted effectively. The loss of CH/P is widespread, impactful and wrong and must not be allowed to continue.

Initially this research was intended to focus on the use of the maritime domain to smuggle art and antiquities and then look at how the market operated. However, initial work on the literature review (LR) proved there was an extensive academic literature on the marketplace, but there was very little specifically written addressing underwater looting and crimes in the maritime domain. The researcher has expert experience of both the heritage sector and the military, specifically the navy, and it is this experience and understanding that gives him a unique lens to view the problem through. Time spent on archaeological sites around the world or in national and regional museums, or volunteering for a heritage charity gives one an appreciation of the challenges within the heritage environment and why so much effort and activity may not always be rewarded. It is an under-funded and under-appreciated sector that only enjoys success in spite of the system, not because of it. Additionally, time spent at sea with the navy or in headquarters in the UK and overseas enables one to understand the pressures and burdens that are placed upon government agencies and organisations to achieve their goals. As this thesis will demonstrate, the ability to understand and work alongside both the uniformed sector and civilian organisations enables collaboration and success.

This project combines the fields of criminology, art, and archaeology so a wide range of data collection sources were required to appreciate the problem. The destruction of CP in warzones has garnered significant interest in the past decade, after conflicts in Syria,

Afghanistan and Iraq where CP was both deliberately and mistakenly targeted (Winchester, 2022). The destruction was a result of many activities; outright destruction of buildings, religious and otherwise, the deliberate dismantling of sites in Erbil and Palmyra for the purpose of funding extremist activities through the sale of antiquities (Bokova, 2015), and also during battle due to collateral damage from rocket and missile attacks, or blanket bombing (Pape, 2004).

On 12 Sep 2017, the UK government signed the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (HC54), an attempt to protect CP, and stem at source the supply of antiquities that make their way onto both the open and illicit markets (DCMS, 2017). This belated action is a positive step but does not state exactly what the UK's commitment will be in real terms and what impact it will have on criminal activity. The purpose of this research is to discover the extent of crime's involvement in CP looting, smuggling and trafficking, predominantly in the maritime domain, and broadly look at the risks to CP and methods of CPP.

This research will answer the following question: after consideration of all the risks how does one protect CP in the maritime domain? It will discuss what CP is, and why it matters, focussing on Europe and the Mediterranean as a geographical area; it will evaluate risks to CP, including the environment, war and organised crime, and how they set the conditions for the systematic commodification of CP. By gaining an understanding of the environment, one can assess why looting and underwater looting are becoming so prevalent and build an appreciation of the conditions required for offenders to utilise the maritime domain for nefarious purposes. The next stage will be an evaluation of the response to CP crime, assessing in the first place the law enforcement responses, both strategic and tactical, and secondly what the civilian response is, and whether there is a joined-up approach between the civilian sector and law enforcement. Finally on completion of the research analysis will suggest a course of action to reduce CP crime in the region and suggest the KSE required by people to be effective in the fight against CP destruction, and this constitutes the original empirical contribution of this thesis.

This research is vital as solutions for reducing and possibly eradicating CP destruction are time sensitive as the risk increases on a daily basis. Unlike so many other commodities, eventually what CP exists in the world will run out (Atwood, 2004). Archaeology is a finite resource (Williams, 2017). Once dug up, removed and transported it cannot be replaced, and its place in the archaeological record is lost, and with it a loss of knowledge. CP destruction has many elements and spans a range of

subjects that are so diverse as to range from art, antiquities, marketplaces, archaeology, transport, organised crime, law enforcement, looting, smuggling, forgery, theft, war, to protection measures. The scope of so many subjects could be overwhelming, however this thesis, by making CP the focus, allows one to consider the other subjects only when they overlap with CP. The selection of the maritime domain and its overlap with CP destruction is a niche lens to analyse the problem through, bringing focus and also filling a gap in current understanding.

The art and antiquities trade, legal and illicit, is a billion-pound industry (Statista, 2023). An industry built upon nothing very tangible. It is stated that beauty is in the eye of the beholder (Hungerford, 2022) but what makes some people pay millions of pounds for an inanimate object, which has been taken out of its context, is a subject of great controversy. This trade goes back thousands of years to the Romans, arguably the greatest people of antiquity, removing thousands of antiquities from Greece to decorate their villas in Italy (Amineddoleh, 2021). Through the ages the trade and the markets for the trade have evolved, adapted and flourished all over the world. Now we live in a world of source countries and destination markets ensuring the organised exploitation of the world's antiquities (Brodie, 2003). Within a panoply of players and actors there are looters, thieves, collectors, tourists, brokers, farmers, fishermen, valuers, academics, smugglers, law enforcement, the military, and more. This Introduction evaluates two areas to set the scene for the further research carried out: firstly, CP itself, and secondly organised crime activities, predominantly on the Italian peninsula and Sicily.

CULTURAL PROPERTY (CP)

CP is key to this piece of research. It is an increasingly used term, but it is not immediately evident as to what actually constitutes CP. CP comes under the term Cultural Heritage at the United Nations Educational, Scientific and Cultural Organisation (UNESCO) and is described as the following (undated. A):

> 'Cultural heritage includes artefacts,
> monuments, a group of buildings and
> sites, museums that have a diversity of
> values including symbolic, historic, artistic,
> aesthetic, ethnological or anthropological,
> scientific and social significance. It
> includes tangible heritage (movable,

immobile and underwater), intangible cultural heritage (ICH) embedded into cultural, and natural heritage artefacts, sites or monuments. The definition excludes ICH related to other cultural domains such as festivals, celebration etc. It covers industrial heritage and cave paintings.'

Evidently 'Cultural Property' is a complex entity due to its diverse nature under the broad parameters of the UNESCO definition. Cultural Property is defined in 'Article 1 of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 as follows (UNESCO, undated. B):

'The term 'cultural property' shall cover, irrespective of origin or ownership:

(a) movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above;

(b) buildings whose main and effective purpose is to preserve or exhibit the movable cultural property defined in sub-paragraph (a) such as museums, large libraries and depositories of archives, and refuges intended to shelter, in the event of armed conflict, the movable cultural property defined in sub-paragraph (a);

> (c) centres containing a large amount of
> cultural property as defined in sub-
> paragraphs (a) and (b), to be known as
> 'centres containing monuments'.'

The issue is that CP can be so diverse it is actually hard to clearly define. Therefore, this research will focus on 'tangible cultural heritage', 'movable cultural heritage' and 'underwater cultural heritage'. The all-encompassing approach taken by UNESCO and the Hague Convention is useful for those trying to understand the complexities and the breadth of CP and both pieces of legislation are borne from the motivation to protect all CP, but this research is solely focussed on CP that can be looted, smuggled or transported, thus CP referred to within para (a), because, as Brodie, Kersel, Luke and Tubb (2006) say, the material object that is traded, the antiquity, is central to the debate. It is the emotional connection to one's past combined with the tangible connection to the object itself that makes CP important, whether a consumer buys with their heart or their business-brain, or indeed, both, it is hard to clearly define why people of all ages, backgrounds, ethnicities are so keen to collect and possess CP (Thompson, 2016), especially if it is not part of their own personal heritage. Arguably, it is a sound investment and the consequences of getting caught are far less than those for smuggling drugs for example, so this could explain criminality's interest in the trade, but not necessarily what drives buyers to build collections of artefacts at great cost that are the envy of some museums.

At the 2019 'Culture Under Attack' exhibition at the Imperial War Museum in London, visitors were first met with an illuminated quote from the National Museum of Afghanistan in Kabul:

> 'A nation stays alive when its culture stays
> alive.'

Attacks on a place's CH is often the prelude to an attack on people and so it can be ignored as other atrocities like genocide are given more attention, but it all is part of the same atrocity (Ochab, 2021). The sense of identity is a powerful argument for keeping CP in its place of origin and preserving it. The Italian government especially views the smuggling of their CP as an attack on their national property (Cuno, 2008). It is an erosion of national identity both in Europe and beyond, and in a globalised world and it is evident that the uncontrolled destruction of CH taking place, if not curtailed, will be irreparable.

However, there is also a downside to nations seeking the restitution of all their CP; the missed opportunity to educate and enthuse people of other cultures around the world about another culture. Museums such as the British Museum (BM) in London tell not just the story of the British Isles but provides snapshots of the world's other cultures giving a broader view of global culture and development (Deprez, 2020). Therefore, this debate must lead to future cooperation between cultural institutions (Hicks, 2022). The market for CP must be viewed as a risk and the responsibility of both individual buyers and institutions buying for their public collections. This does not mean there should not be a CP market, but no buyer should even consider an artwork or an antiquity without the correct provenance (Campbell, 2013). Whether or not one appreciates the aesthetic value of CP or has an interest in a particular part of history, the importance of the artefacts and their link to CH and to culture in modern society emphasises that its destruction is not only wrong but must be stopped. Despite the homogenisation-effect of globalisation (Back, Bennett, Edles, Inglis, Jacobs and Woodward, 2012), people now want to know their background, ancestry and lineage and CP is an emotional and tangible link to that heritage.

CRIME

Despite the diverse nature of CP, all of it has importance. CP crime does not recognise that importance. Localised crime in the provinces such as looting or illegal metal-detecting can result in an object being extracted, and transported from the looting site (Barthélémy, 2022) to some of the biggest metropolises in the world. In conjunction, thefts can happen at world-famous museums and galleries in one country and end up for sale in another country within days. This affects everyone at all levels of society and allows criminals into the art and antiquities trade at multiple stages to conduct criminal activities, as well as providing them the opportunity to use legal and illegal transportation methods and routes, and create legal and illegal revenue streams. Ultimately, an unregulated market enables criminal activity and undermines the attempts of law enforcement to combat CP crime (Nizzero, 2023). These criminals and unscrupulous buyers believe the financial benefit of a few outweighs the cultural benefit of the many.

Organised crime is centuries old but global organised crime has flourished since the fall of the Soviet Union and the bi-polar world capitalism and communism created (Galeotti, 2018). The European Union has created a landmass that can be easily traversed with minimal need for either a passport or valid reason for travel. Smuggling no longer has

the risks it once did because border controls are often non-existent. Europe in its attempt to be more open, has become weaker from the viewpoint of transnational organised crime, Europol's 'Serious and Organised Crime Threat Assessment states more than 70% of criminal networks are active in more than three countries (EPP, 2022). Understanding the nature of organised crime and how it contributes to the destruction of CP in and outside of Europe is key to uncovering the threats to CP. Due to the nature of this research and the avenues it will consider it is important to define organised crime with regards to the subject of CP crime. If one considers organised crime's involvement in the looting, smuggling, marketing and selling of CP in the UK, Europe and around the Mediterranean, then one should view it as assortments of organised crime groups working in a coalition or independently, but not necessarily as Organised Crime which is how one would view the big Italian Mafias (Dietzler, 2013). The reality is that there may be interactions between organised criminals and Organised Crime, but that does not necessarily mean that the big Mafias run their own art theft or antiquities looting and smuggling businesses or are directly involved on a regular basis.

The Italian mafias are perhaps the best-known criminal enterprises in the world, especially the Cosa Nostra (EUROPOL, 2013). The Roman archaeological sites in areas controlled by Italian mafia groups are extensive, and consequently a basic understanding of the mafias is useful. Although there was limited evidence until 2023 (Kington) of their direct connection with antiquities crime, they likely allowed their networks to move illicit merchandise around the Mediterranean and Europe. Each of the main groups is also quite unique in its lay down and methods of operation (EUROPOL, 2013). Many law enforcement agencies have stated that CP smuggling probably happens in conjunction with other types of smuggling (UNODC, undated. B), which is common practice for the mafia. They are not one entity, but a collection of entities with regional strongholds but they have achieved global reach. The Sicilian Mafia is known as the Cosa Nostra, there is also the Camorra in Campania (the area of Naples), the Sacra Corona Unita (SCU) in Puglia and the 'Ndrangheta in Calabria (Bartoldi, 2015). The mafias want to attain substantial control or influence in both legal and illegal activities; the sole purpose of their existence is to make money and to increase their power and respectability[1] (Levi and Soudijn, 2020).

The core criminal activity that could be conducted by organised crime in the CP sphere is smuggling, a job that has been perfected over centuries. Illegally moving items

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[1] The art and antiquities market certainly has that veneer of respectability.

across borders became markedly easier since the collapse of the Soviet Union and the Balkans Conflict in the early nineties. The long coastlines of Italy and the Balkan countries proving ideal for ingress and egress of contraband. Lewis (2018, p.218) observes:

> 'While drug trafficking through the Balkans has been conducted for decades a marked diversification of transit routes into Western Europe took place following the outbreak of war in 1991. Overland transport channels via Bulgaria, Romania, Hungary, Poland, Slovakia and the Czech Republic were established, as well as maritime routes accessing Venice, Koper, Trieste, Durres and the Dalmatian coast on the Adriatic, and Puglia and Calabria on the Ionian Sea.'

Italy has a crucial geographical feature that makes smuggling appealing, extremely extensive coastlines and well-established trade hubs for maritime activities. The transport of criminal goods is well established and the use of the sea and the maritime environment as a transport medium is efficient and necessary, as it allows for bulk, anonymity and access. Freighters and ferries transport heavy weaponry, cars and other cargo (Lewis, 1998). Previously Italian criminals have profited greatly from access to the sea. Dickie (2011, p.65) recalls that:

> 'The camorristi found extortion and smuggling easier and more profitable than ever [in 1860]. Maritime contraband was a particular speciality of Salvatore de Crescenzo's, he was the 'the sailors' generalissimo'. While his armed gangs intimidated customs officials, he is said to have imported enough duty-free clothes to dress the whole city [of Naples].'

As Lewis (1998) further points out, high-speed boats and hydrofoils sail between Italy and the Balkan littoral, from Istria to Greece carrying drugs, cigarettes, plundered valuables, small arms, refugees and other migrants. The maritime domain is an

extremely interesting area to consider, and far more complex than just oceans and seas. It is defined by the International Maritime Organisation (undated) as:

> 'All areas and things of, on, under, relating
> to, adjacent to, or bordering on a sea,
> ocean, or other navigable waterway,
> including all maritime-related activities,
> infrastructure, people, cargo, and vessels
> and other conveyances.'

The description above emphasises the broad nature of the places, organisations, and transportation methods that can be exploited by crime. The maritime domain is an area that crime can infiltrate and utilise legally and illegally. The ability of law enforcement to protect, secure, control, monitor and investigate crime in the maritime domain with its scale is impossible[2]. This allows criminals freedom of manoeuvre and a better percentile success rate in their endeavours, for example, the SCU through its domination of seaborne contraband made a qualitive and quantitative leap in power and influence (Lewis, 1998).

It is through these established crime groups and smuggling routes that CP crime can be conducted. Europe itself has major waterways used by shipping today, namely the Mediterranean, the English Channel, the North Sea and the Atlantic Ocean. These bodies of water connect Europe to Africa, the Middle East and the Americas (Notteboom, 2013; Notteboom and Rodrigue, 2009). Internally rivers dissect Europe moving trade goods hundreds of miles, notably the Rhine, the Seine, the Loire, the Volga and the Elbe. The ability to use water to transport items long distances for low cost, legally or illegally, throughout Europe demonstrates what a versatile and effective tool the maritime domain is for criminals. With the ten busiest ports in Europe featuring five in northern Europe and five in southern Europe it shows how there is a range of ingress and egress points (Gardham, 2022).[3] Added to freight ports the ten busiest passenger harbours on the Continent are based in Italy, Greece, Spain, Malta and Sweden (Ferry-Go-Go, 2022).[4]

The maritime domain is far-reaching and all-encompassing. One of the main focusses of this research is one of the least investigated areas of criminality, and one of the

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[2] This viewpoint is based upon review of the UK Government's Maritime Security Strategy (2014) and personal experience.
[3] Rotterdam (Netherlands), Antwerp (Belgium), Hamburg and Bremen-Bremerhaven (Germany), Valencia, Algeciras and Algeciras (Spain), Piraeus (Greece), Gioia Tauro (Italy), and Felixstowe (UK).
[4] Dover in the UK has the most passengers.

emerging threats, the looting of CH that takes place underwater. The true extent of underwater CH can only be imagined but scientific advances have put this type of culture at huge risk. UNESCO (undated. C) points out:

> 'Underwater cultural heritage
> encompasses some of the most precious
> cultural sites that the world has to offer,
> including ancient shipwrecks, sunken
> cities, sacrificial offering sites and
> prehistoric landscapes. For thousands of
> years it was largely unreachable and free
> from human intervention. Today, however,
> it has become accessible due to
> technological advancements, beginning
> with the invention of the aqualung in the
> 1940s. While modern equipment facilitates
> scientific research, it also allows treasure
> hunting to flourish. Pillaging, destruction
> and extensive treasure hunting is now
> taking place under water.'

The ability to loot underwater, potentially straight into boats, means that some CH may never actually reach the shore until it is well hidden or disguised. Alternatively, larger vessels provide storage for objects until buyers can be found that does not draw attention or cost extra money. Further still, a salvage boat could also be the method of transportation, ensuring that it remains mobile and undetected until it is unloaded in a market country. The maritime domain is a potential source of CH, a method to transport and conceal CH, and a way to connect saleable items with potential buyers in any of the major markets in the world, New York, London and Hong Kong (Uttam, 2020).

Once these objects have been transported from source country to market country by whatever means necessary, they must then enter the market, either legally or illegally (Blythe, Bowman and Proulx, 2011). This is one of the nuances of the illicit antiquities trade, the produce could then be sold to anyone. One of the most striking aspects of this criminal trade is how many white-collar actors are involved knowingly or unknowingly (Bowley and Rashbaum, 2017). This may be due to lack of understanding about the impact of what they are doing, or who they are dealing with, or a naïve approach to business. The cost of extracting, transporting and marketing a piece of art

or an antiquity via the maritime domain, or even by land, are nothing compared to the price an object could be sold for, and where there is money, there will be criminality (Clapton, 2018).

<u>CONCLUSION</u>

CP is undoubtedly important from a heritage viewpoint and the importance of its association with cultural identity, but it is its monetary value that makes it the target of criminality. Everything that is at the core of the licit and illicit trade is financially driven (Nunzella, 2022), creating a grey space to be exploited (Bowman, 2008). The maritime domain is an unexplored area, and it is here where the criminal can flourish or those responsible for stopping crime can take control. Criminal networks exist already that could be used to exploit CP for criminal ends (Yates, 2021). There is an unfortunate lack of empirical evidence looking at the maritime domain. As a result, some arguments in this thesis will rely upon interviews with experts and stakeholders across the field and the personal experiences of the researcher.

CHAPTER 1: LITERATURE REVIEW

1.1 Introduction

The purpose of this literature review (LR) is to provide an overview of the current state of research on CH/P to identify areas of previous knowledge and who conducted it, identify areas of contention, and look for gaps in the research (Karas, 2023). The literature was mainly produced in the last forty years and although it is not an area that is massively investigated as a broad topic, art crime and CPP do have dedicated researchers and authors that are subject matter experts in certain fields. There has also been a change in thinking and approach to these topics over the last four decades which is reflected in the writings of younger authors who do not necessarily have the same western-centric outlook as their predecessors.

Three themes were identified that are relevant to this LR, firstly, CP and the environment it resides in. Secondly, the numerous threats and risks to CH, and finally, the protection of CH/P. On the few occasions where the maritime domain is mentioned, it was within these contexts, not as a standalone subject. Furthermore, out of these themes came a number of sub-themes that worked well as sub-chapters. The sub-chapters in this LR provide the handrail to guide the evaluation of literature pinpointing areas that get multiple mentions and some areas of interest that are not directly relevant to this thesis.

The CP discussed in the research will be any artwork, artefact, or antiquity that is looted and smuggled within or around the Mediterranean region[5]. Due to the strength of the Roman Empire, it conquered, communicated across and controlled all the countries around the Mediterranean (Bileta, 2023), thus all of the following is of interest; Italy-based Roman art and antiquities, or Roman art that might have been looted and smuggled out of a country like Lebanon, trafficked across the Mediterranean to Italy's shores and transported up through continental Europe to the London markets. This geographical and object-focused approach enabled a narrower search in terms of selecting literature to read. However, although focused on understanding the antiquity market primarily, and the European art trade, references must be made to the global trade in CP that appears in the literature, as the format of a source country being

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[5] This encompasses Spain in the West to Montenegro in the East, the northern and southern coasts of the Mediterranean Sea.

exploited for the benefit of market countries is evident elsewhere[6] and it may provide further context.

Secondly, the discussions around the numerous threats and risks to CH are well-documented. These are manifested in several ways such as art crime and military conflict and by understanding current literature and its perception of the risks, one can try to ascertain the motivations for the authors. Until recently, there has been no career stream in CPP so many of the people involved were writing out of interest or because they recognised the necessity to highlight the issues. The understanding of threat is core to this LR because there is currently an ongoing destruction of CH/P that is unlikely to diminish without prompt and direct action.

Finally, the protection of CH/P. Ultimately, this thesis is about CPP and a firm understanding of what already exists is crucial to then evaluate if what is being done is enough, and where can it be improved. As a location, the Mediterranean includes three of the biggest source countries, Italy, Greece and Egypt, and some of the biggest markets for art and antiquities, London and Paris, which are easily accessible by air, land or sea. Many of the countries bordering the southern Mediterranean have recently experienced conflict or governmental upheaval meaning that their internal governance is stretched and unable to concentrate resources on protecting CP, especially underwater sites. Additionally, a global pandemic has had a profound and long-term impact on the development and coherence of nations (OECD, 2020). All challenges to effective CPP must be evaluated.

The audience for the current literature tends to be those that are against the destruction and exploitation of CH/P and this tends to steer thinking and assumptions towards condemning not just the criminals that use the market for making huge profits, but also the market itself for allowing it to happen. The study of CPP goes beyond discussing the physical protection of artefacts, or objects, or buildings, it must include an understanding of reasons why individuals want to protect these items in the first place, and why people are willing to damage them. There is something about art and antiquities as commodities, and indeed any illicit commodity that motivate people to ignore moral codes and guidelines (Albers-Miller, 1999), encourages them to invest small fortunes in the creation of private collections or as gifts for institutions, and all of

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[6] Throughout South America for instance (Luke and Kersel, 2005), archaeological sites are pillaged regularly to provide finds for an international market, consequently, there may be some similarities and interesting overlaps. There are also similarities between the smuggling of other illicit goods such as drugs or weapons and where appropriate, comparisons made.

this is carried out regardless of the physical damage caused and the impact on people's knowledge of the past.

On completion of the review, it was evident that there was a vast array of books written on archaeology, the history of the Mediterranean, and Organised Crime, but there was very little understanding of how they weave together in the present day to corrupt the billion-dollar art and antiquities market. Therefore, the intention of this research is to view CP crime through the mechanics of criminology. One needs to understand that when criminal activity occurs, how does it interlink with other illegal commodities, and what are the nuances of crimes conducted on land and in the maritime domain, and what makes crime in the maritime domain unique. There are gaps in the literature on maritime crime, but it is a growth activity and is quickly becoming more accessible. However, there are also general gaps from the perspective of criminals that carry out these activities both in Europe and around the Mediterranean. This review has been constructed to unify these strands so as to frame subsequent discussions that revolve around mapping the nature of the problem and the responses to it. This will be done empirically via a series of elite stakeholder interviews.

In conclusion, as well as noting the key themes the literature has produced, credit must be given to the main researchers in this area who have laid the foundation for the growing discipline of CPP, and appraise why they are well placed to speak about the subject. Before finally highlighting the questions that still need to be answered.

1.2 Literature Review Methodology

Despite this thesis encompassing elements of sociology and criminology there was not initially a clear methodology for the best way to conduct the research. There was an element of trial and error with two rewrites occurring to best achieve a comprehensive and effective LR. The methodology developed as the research was conducted and then a final methodology was adopted to successfully complete the final version of the LR.

1.3 Process

Initially sources were grouped together where it was considered there were multiple themes, however, this became too broad and unwieldy. Thus, the need to narrow the search but to select broad themes that would encompass a number of sub-themes (McLaughlin Library, 2024) became the best use of time and effort. Additionally, on completion of writing the main chapters, based entirely upon the interviews of subject

matter experts, there was definite evidence that some of the themes that appeared in the interviews were also evident in the literature. This commonality was highly beneficial and brought focus to the LR methodology. The result dictated that the themes become the guide or direction, and so within each sub-chapter of the LR it made sense that any form of literature[7] or evidence be included under each theme of commonality, rather than all books be addressed in one sub-chapter, all journals in another. These sub-chapters also preventing the scale of the LR from becoming unmanageable by forming a framework with which to view the varied topics, for example, there are thousands of books on every form and type of archaeology, but by linking Archaeology and Looting it reduced the number of books and articles to read massively. This focus allowed targeted searches for sources and the material to be evaluated more easily. Also, some of the authors mentioned in the literature also became interviewees for the thesis and this enabled them to reinforce what they had previously published or had said, or add new light to their previous understanding and ideas.

The LR occurred in three phases. The first, and longest phase was the initial search for, and evaluation of, anything to do with the thesis' areas of interest. This had two major benefits, firstly it helped identify the gaps in the literature to channel the questioning for the interviews, and secondly, it provided the researcher with a degree of knowledge and confidence for conducting the interviews ensuring they were a peer-to-peer experience and not a laborious process for the interviewee where they felt they had to start by explaining CPP basics. Secondly, after two years of study, successful completion of the ethics form and completion of the first batch of interviews, the second rewrite entailed another review of the literature looking for new sources. Finally, as the thesis was nearing completion, a final search for sources was conducted to bring the LR as up to date as possible. This led to another rewrite as the pool of information had expanded, bringing fresh ideas and impetus (though fortunately the area of maritime CP crime remained massively under-represented).

1.4 Data Collection Sources

The next step was to approach the data collection systematically, and the literature to be reviewed was divided into a four-part structure; Part 1 was books, Part 2 was online journals, Part 3 included anything that could be solely accessed online such as news,

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[7] Book, journal, news article, website post, TV documentary.

blogs and website articles (a vital part of research according to Kozinets (2010)), and Part 4 was anything the researcher was referred to by experts in the literature as good policy, namely organisational literature.

One of the challenges of studying remotely was the access to reading material to conduct the LR. This was exacerbated at the start of the third year of this PhD by the Covid-19 pandemic. Fortunately, there were various options to negate these threats already in place. Internet access was crucial but there are a lot of online resources that could be accessed remotely. Staffordshire University's digital library, JSTOR and Wiley Online Library provided access to a number of academic journals and relevant book chapters. Google, including Google Scholar, and a basic website search provided a lot of news articles and academic journals, some had been provided free, in two cases by academics with multiples publications on art and antiquities crime. Searches on YouTube also provided some video documentaries on the Italian mafia and art crime.

The final section of research, the organisational and agency handbooks were readily available on their websites and free to download. These handbooks were not limited to law enforcement but included non-governmental organisations too. These documents were written with two audiences in mind, firstly the people that worked for those organisations and agencies, and secondly, anyone with an interest, or a need, to learn the first steps in CPP. These documents also provided a practical approach to CPP, something not always provided by the academics that had the most input into the other data sources.

1.5 THEME ONE: HERITAGE AND ITS ENVIRONMENT

Heritage is under threat (BSI, undated). The first step in understanding this problem is to review the facets within the problem. Theme One looks at two topics, the subject of heritage and how it is discussed in selected literature, and secondly, and the selected geographical focus of this thesis, the Mediterranean, to help build a picture of the environment. From there the LR looked at the threats as perceived in the current literature, and the steps that are currently discussed to protect CP.

1.5.1 How is Cultural Property Defined in the Current Literature

It is important to analyse the literature to define the conception of CP, how it is valued, and why CP matters. As well as criminal activities, the main interest of this thesis, CP,

appears in various other debates including colonial repatriation, Nazi restitution and the destruction of national identity (Neskorozhana, 2022) and the concept of CP and its importance in society is growing. The conflict in Ukraine[8] noticeably brought terms like 'cultural property' and 'cultural property protection' into the mainstream media as UK newspapers documented Russia's targeted attacks on Ukrainian CP in an attempt to diminish Ukraine's national identity. Further conflicts in Sudan (Omer, 2023) in April 2023 and Israel and Palestine (BBC, 2023) in October 2023 have emphasised that CH everywhere is at risk. Although repatriation and restitution are important subjects of debate this research will reference them very briefly but focus on a broad spectrum of risks and focus on the role of criminality and intentional damage to CP.

The importance of CP is entwined in people and people are responsible for its protection. Mackenzie, Brodie, Yates and Tsirogiannis (2020) advocate the construction and maintenance of modern national identity as a way of taking ownership over the responsibility of protecting national identity. One of the biggest challenges is who will take responsibility for the protection of CP as it is expensive and challenging. They go on to reference natural disasters and human-driven development as risks to the integrity of CP in situ, alongside looting and crime that can lead to a plethora of antiquities within the market. Anderson (2017) argues that for archaeologists 'finds' are information indispensable in forming a context for human habitation, for art historians, some finds are more deserving of attention than others simply by virtue of rarity or quality of craftsmanship. Which raises interesting questions over value and how different cultures assign value to their own or others' CP.

Hunt (2019) states that CP is growing in interest and importance in the mainstream public view due to the debate over whether some artefacts should be repatriated to their places of origin in a post-colonial world. There are multiple news stories on repatriation, Ho (2023) for example, writes about the Benin Bronzes, and references the importance of a slow increase in public awareness that might create a platform for change. Lazrus (2006) writes that some social groups, including ethnic and religious communities, large and small, are increasingly concerned that they will lose themselves in culturally homogenizing world of global commerce. There is definitely a risk to smaller communities from globalisation and the argument over CP as a form of cultural identification becomes a powerful and important definition. However, despite mentioning the importance of CH/P as a source of identity no writers have actually

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[8] Which began in February 2022.

discussed why CH/P is associated so strongly with identity, and its value as a form of identity.

The concept of 'value' in the CP world is interestingly complex. Broadly speaking people see value in terms of financial benefit, but cultural objects are objects whose monetary value derives from their cultural worth. The most obvious example is a painting. Brodie and Mackenzie (2014) argue the worth of an object is socially constructed. This suggests the price of a painting cannot be reduced to the cost of its materials and the time taken to paint it, thus it is created. This viewpoint allows one to analyse the differences in assigned values from more than just a financial viewpoint, for example in Western marketplaces, but also what might be considered cultural value in the countries of origin, and where these two concepts overlap. Hook (2017) also discusses what makes CP valuable suggesting beauty, quality of craftsmanship and rarity can result in a quantitative value up to a point, but the less tangible criteria such as the desire to own something based upon an object's social and aspirational status also adds value. He also says buying art is not a matter or science but of stomach and art has very little functional value (2018). This suggests that aesthetic beauty has financial value and functionality, at least in terms of CP, is not as important. Watson and Todeschini (2006) state that in terms of CP such as statues or paintings, the greater the realism the greater the price.

Kersel (2006) and Anderson (2017) point out that antiquities are a diminishing product unlike drugs and guns which can be manufactured, that makes them both desirable and consequently more valuable. This is interesting, drawing upon Cialdini's (2021) idea that 'scarcity' adds value and influences people to buy, consequently suggesting the diminishing amount of CP is a very real risk as it will also potentially increase demand.

If thinking in solely financial terms then it is a common and important metric to measure value, and something everyone can relate to. Yet, in 2023 Yates and Brodie challenged the accepted thinking that the trade in antiquities was the world's third largest illicit trade in terms of size and value, arguing that this misnomer is actually detrimental to efforts to protect CP. This attribution was the result of a UNESCO publication (for example; UNESCO. D, 2020) and has been used many times to emphasise the danger of art and antiquities crime. Yates and Brodie (2023) obviously argue the historical value is the benefit to society and that should be the focus.

Throckmorton (1998) points out that archaeological resources are an asset to communities because they create museums, and museums attract tourists, an example

he uses is the ruined crusader castle in Bodrum in Turkey which was converted into a museum in 1959 and 40 years later enjoyed roughly half a million visitors a year. This suggests ways that CP could pay for its own upkeep and protection. An article in Euronews (2013) raises the pertinent issue of paying for the conservation and preservation of Italy's CH and how the budget for this kind of work is diminishing rapidly. This is another example of value, and the impact of spending money on CP, but demonstrates the success of Bodrum in Throckmorton's book. The future may need to focus on self-funding heritage.

This evaluation of CP is important because the literature produces further areas of debate, especially the aspect of applying value to CP. The term 'cultural property' could be problematic in itself because financial value can be associated with property but the cultural element is hard to define and could be very individualist or society-led. UNESCO has provided a broad and coherent definition that signposts the range of items to consider (and inadvertently demonstrates the challenge of successfully conducting 'cultural property protection'). UNESCO is communicating to experts but also members of the general public about what CH/P is, but reading some of the work of Yates and Brodie there is definitely a moralistic tone and an anti-establishment edge, suggesting that people value money over history. Comprehensively within the literature, the impression is given that the cultural element is secondary to the property element, this is too simplistic. If people do not understand why they should care about CH/P then they will not be motivated to protect it. One can write about the importance of CP as an object of historical interest, but one must still make it relevant to the broader audience if they may end up paying for its protection. Perhaps what is missing in the literature is an argument that people already value CH/P they just might not realise it yet.

1.5.2 The Art and Antiquities Market Situation

The situation as it stands is not clear regarding CH/P and its protection. Arguably many people would not even know there was a threat, or realise the impact of CH/P destruction on their lives (Doward, 2020). Therefore, the intended audiences for literature on the art market which will be discussed in this section, are probably fairly limited. However, the market, as seen in the previous section, has a huge influence over the perception of the importance of CP. This thesis is focused more on the destruction of CP at source but the literature amply demonstrates the impact of the market on source countries. This section will look at whether it is an issue of criminal

gangs infiltrating the market, the market actively engaging with these types of people, and whether a lack of regulation has set the conditions for the exploitation of the marketplace.

The art and antiquities market, both legitimate and illegitimate, is what potentially drives a lot of the activities that damage CP (Shone and Fourneris, 2022). This highlights the difference in merchandise between CP and other trafficked goods such as narcotics which has no legal market destination unlike CP that could end up in a high-end cultural institution such as a national museum or art gallery. Though there is a great amount of overlap in criminal activities that get the product from source to market. Another interesting facet of the art market is that criminals can be legitimate buyers as well and the use the legitimately obtained artefacts for money laundering (Mashberg, 2019).

Mackenzie (2015) asks if lessons can be learned by studying the market for items such as ivory and blood diamonds. He concludes that there are elements of the Kimberley Process that was brought in to stem the flow of blood diamonds to the market that are applicable, especially the multi-stakeholder collaborative initiatives. This does require all parties to be willing to engage with each other though, and the real accomplishment is making any application successful.

Vlasic (2014) is prescriptive that regulation of the market and agreed sales and sourcing standards are what is required. Smith, Edwards and Gill (2011) claim that the presence of criminals in the global market impacts the level of honesty and morality in the marketplace. Therefore, this cannot solely be a problem of opportunist criminal groups of perpetrators obtaining some form of legitimate access to markets. Some writers (Banigan, 2021; Adam, 2020; Scharger, 2013; Neil, 2013) seek to apportion blame to the market, however, the researcher believes this is counter-productive and alienates stakeholders. This unregulated marketplace is also picked up upon by Mackenzie (2011) who states that moral ambiguity, and an unwillingness to report wrongdoing is evident, but, as Mackenzie also said, success is in the collaborative initiatives. Mackenzie (2014) and Mackenzie et al (2020) discuss Transnational Criminal Markets (TCMs). They are powered by economic drivers in which the pull factors are financial rewards and consumer desires, and the push factors can include local instability, scarce legitimate opportunities, and cultural norms that provide justifications and excuses for the wrongdoing. Many TCMs are functional providers of status goods to high-end consumers in higher income countries.

Yet the market does have a responsibility. After transit, the items do arrive at the place of sale and this where they could be lost forever. This is perhaps the hardest area to untangle in terms of who is involved. Mackenzie and Yates (2017) say the market is traditionally opaque and a grey market. Similar to Bowley (2023) who describes it as being under a veil. Brodie et al (2006) claim that 90% of antiquities never come onto the open market, and Watson (2006) declares the best antiquities rarely appear at auction but remain concealed in the warehouses of the world's dealers supporting the idea that one purpose of the auction house sales is to set prices for objects, against which all other price levels can be calculated. This suggests a private, closed off world where the many do not understand the business activities of the few. This naturally breeds distrust but also by default, gives a perception of secrecy by a small group of people, with money, who are linked by art and antiquities, but no one really knows who they are, or what they are doing. Cohan (2010) and Mackenzie (2015) state consensus amongst most people is that it is not an honest or honourable environment. Mackenzie (2006) also says rings are known to operate in other areas of the salesrooms and if they operate in this field (and that is yet to be proved), they might have the effect of setting general price levels for a business that is largely underground. The inability to regulate pricing enables massive price rises.

The problem of the lack of regulation in the art market is compounded by the fact the act of trafficking can be conducted across multiple countries to get to the marketplace. Prott and O'Keefe (1989) propose that there are two principal types of transit market countries: geographically advantaged states and art market states, and Mackenzie et al (2020) argue that the transnational nature of moving antiquities from source country to market country means that laws could be broken in a number of countries. Kersel (2006) says most markets consist of groups of intermediaries between the first seller and the final buyer of the commodity. Mackenzie (2002, p.3) stated that:

> 'The 'markets in illicit goods may usefully be split into four groups; [firstly], from illicit source to illicit transport to illicit destination market, [secondly] from illicit source to illicit transport to licit destination market, [thirdly] from licit source to illicit transport to illicit destination market, and [finally] from licit source to illicit transport to licit destination'.

This demonstrates the complications inherent with trying to obtain a successful prosecution for either looting, trafficking or insertion into the marketplace, because all these activities will be done by different people and in different places and thus it is hard for any police force to take primacy in the case.

Another attempt to understand the market and thus control it has come through the premise of the Market Reduction Approach (MRA). Again, it is Mackenzie (2011) who has reviewed it, and believes the MRA is a strategic, systematic and routine problem-solving framework for action against the roots of theft that provides guidance for interagency partnerships wishing to tackle stolen goods markets. The general theory of the MRA is that demand affects supply, in other words that 'reducing dealing in stolen goods will reduce motivation to steal' (ibid, 2011, p.81). This would tie into an idea from Brodie (2020) that if there is a development problem and an economic problem at source, that must be met, while at the same time hitting the markets.

Finally, Mackenzie (2011) reviewed Albanese's Ten Factor Model (2008) to evaluate its correlation with the antiquities market. It is based on four sets of indicators: Supply, Regulation, Competition, and Demand. His evaluation is as follows: Supply has two factors; availability of an object and how easy it is to move them. Regulation has three factors; how easily an object can be entered into a market, how effective the challenge of law enforcement is, and the extent of government corruption. Competition has three factors; how embedded organised crime is in a market, how profitable the market is, what is the harm caused by the market. And finally, Demand has two factors; current customer demand for the object and whether the demand is continuous or not. It is pretty evident that the art and antiquities market can relate to every aspect of Albanese's Ten Factor Model.

However, the majority of buyers are legitimate, and would not recognise a looted artefact, they just do not know any better. Mackenzie et al (2020) have conducted research into the motivations of legitimate buyers drawing out concepts of elitism, cultural interest and a lack of understanding of the impact in source countries of acquiring cultural ultimately. Elitism is a weighted word and is usually used by those without money to attack those with money, but potentially the problem goes further. One can easily assume from the context presented in this LR, that there is a rogue element that is both buying and selling. Where they get their products from could well be based upon illegal activities, but the tarnishing of the entire market is irresponsible and short-sighted. Perhaps a gap to exploit is where does the state, or governmental institutions become involved in the trade, if indeed they do, and this, on the whole,

does appear to be a gap in the literature. It is hard to believe that any government would allow white collar crime on an industrial scale either unknowingly, or without benefit themselves. As Hollowell (2006, p.117) points out, 'it is patently illegal to dig or sell archaeological objects anywhere in Russia without government permission'. Whether this is collusion or not probably differs from country to country. Hook (2017), Watson and Todeschini (2006) and Atwood (2004) talk about the history of art collecting and how the market was controlled and run by charismatic dealers with informal handshakes, if this is the case, why could governments not also be involved.

Mackenzie has done a huge amount of research to address concerns about the nature of the art market and how it is run. Many of his concerns go back twenty years and this aspect will be evaluated during the interviews to ascertain if things have improved. However, the art market has evidently been a driving force for the destruction and exploitation of CH/P and although not the focus of this thesis, its pre-eminent place in the current literature emphasises how important a part it plays. People fear what they do not understand and if the literature is to be believed the market has a lot of work to do to mend its reputation. Perhaps the glaring omission though is a lack of arguments in the literature coming from the viewpoint of the marketplace and this may provide an interesting juxtaposition that brings about better mutual understanding.

1.5.3 Institutions; Restitution and Repatriation

There are currently many discussions about issues of restitution and repatriation of artefacts, especially if taken during periods of conflict. Museums and galleries are now under pressure and have an extremely challenging time deciding what may, should and could be returned to individuals or countries of origin (Robertson, 2020). This is not an area of interest for this thesis, however, reference must be paid to the discussion because this impacts some of the strategic thinking around CPP. Additionally, museums are often the repositories of CP and thus a review of literature on these institutions is required as they form part of the marketplace.

As well as the aforementioned Benin Bronzes, there are constant calls from Greece for the permanent return of the Parthenon Marbles (Addley and Smith, 2023). Here the question of identity emerges, who owns culture, and should everyone's national culture remain in their country. Weber, Fishwick and Marmo (2017) argue that CH be considered as the common heritage of humankind, while others would see it as more property owned by members of a more elite group such as private collectors. It is then not a question of who is using or exploiting CP, but who has the 'right' to exploit CP.

Predominantly governments want to protect their heritage. Magid (2019) discusses the importance that Saddam Hussein placed on Iraqi heritage before his demise, it was about identity-building. The Italian government especially views the smuggling of their CP as an attack on their national property (Cuno, 2008) as do the Chinese (Jing, 2019) and Turkish (Bowens, 2009). Yet all of these writers question how much governments are willing to actually invest in protecting CP.

The BM website emphasises its position as a museum accessible to a global audience, a national museum that will have artefacts from all over the world in one location (2024). Cuno (2008) argues that World Museums still matter because of the importance and ability of CP to spread awareness of different cultures around the world. Of course, there is a downside, Brodie (2006) claims most art museums contain large quantities of archaeology, yet the burgeoning growth of the art museum sector has undoubtedly been the underlying cause of the expanding antiquities trade over the same period. This indicates further potential risk to CP and demonstrates how the market can drive the damage.

Arguments over repatriation and restitution can be broken down to individual objects that make it hard to discuss whether repatriation as a whole or restitution as a whole is right or wrong. Though these subjects are well-represented in the literature they are not key to this thesis and have therefore been lightly covered. The key points in this section are the ownership of CP, and CP as an identity-builder. This leads directly into discussions about why CP matters and why CPP should be mandatory.

1.5.4 Previous Perceptions of the Mediterranean

To provide context and focus for this research, the chosen geographical area is the Mediterranean. This section is not intended to be a comprehensive review of literature about the Mediterranean but set the context for why the Mediterranean experiences so much CH/P destruction and why the threats are real. It is a massively utilised body of water with thousands of years of military and commercial shipping. It has a shared history due to both the Roman Empire and also French Napoleonic conquests that brought many Mediterranean countries under French rule and influence, even North Africa. Thousands of years of trade, co-existence and invasion have impacted this relatively small area. This section may have broad appeal to historians and archaeologists rather than criminologists but it is crucial to link the activities of the past to understand the mindsets of the present.

Barry Cunliffe (2017) has written a comprehensive history of the Mediterranean from prehistory to AD 1500. This book, though not connected to CP crime does emphasise just how much maritime trade has passed across the Mediterranean, and how the sea has brought together Europe with Africa and the Middle East, a meeting of worlds throughout time. This emphasises how much CP is potentially still out there and why the destruction continues. Abulafia (2011) has also written a history of the Mediterranean that goes through to the modern day. Both authors make the sea the focus, but it is the impact of humans that really interests Abulafia. He argues that it is the diversity of people that used the Mediterranean that has shaped it and arguably the Mediterranean and the people that have used it have shaped world history more than any other body of water. Carlson (2011) emphasises that trade across the Mediterranean was so extensive that there are numerous opportunities for archaeology. These observations are reflected in some of the current challenges that law enforcement in the region are facing, there are so many people from different countries, races, religions that the only thing they have in common is the Mediterranean, but do not have a shared vision for how they protect its assets.

A study of the ancient Mediterranean reveals what kinds of CP may be on the seabed and what challenges there may be recovering it for sale. Bascom (1976) describes the Mediterranean as a treasure vault. It is a slightly dated but still relevant evaluation of an underwater search, and the nuances and complexities of the Mediterranean. However, there seems to be a conflict between the scientific approach of archaeology and the excitement of treasure-hunting. Also, similar to Potter (1973), it reads like a guide on how to recover 'treasure' but does not discuss on whether morally people should be doing it. Grace (1979) and Peacock and Williams (1986) have written about the goods shipped around the Mediterranean in Greco-Roman times which were mostly comestible items like wine, olive oil, garum, spices, these commodities were typically transported in amphorae (one of the most recovered items). This suggests that there are numerous opportunities for looting. Campbell (2013) relays an anecdote from his fieldwork in Albania when a fisherman found a complete amphora in his nets and believed he could charge a substantial amount for it from intermediaries selling to Italian collectors but was unaware of the reduced prices brought about by the poor economy. He was unable to transport the amphora to Italy to make a sale so ended up discarding it a year later.

Abulafia (2011) also states there were extended periods of piracy which would be the first examples of criminality on the Mediterranean. Anderson (2017) claims Montenegro has been subjected to organised looting of shipwrecks since before its independence

from what was the Federal Republic of Yugoslavia. Thus, maritime crime is not a new phenomenon, just an under-researched one.

The majority of writers want to emphasise the importance of the Mediterranean for ancient and historic trade, the cultural richness of its countries and the opportunities for exploitation. This is why this section is small but vital to the overall understanding of the issues of CH/P protection in the Mediterranean, there is so much of it but no one is working together to protect it.

1.6 THEME TWO: THREATS AND RISKS TO CULTURAL HERITAGE

If the focus of this thesis is to suggest solutions to the demand for CPP then one must have an understanding and appreciation of the threats and risks to CH/P as presented in the literature. This diverse range of concepts forms the basis for Theme Two and underpins the thinking behind any form of protection that governments, organisations and individuals can generate. The threats and risks mentioned here vary in impact and scale and that is represented by the number of writers covering certain subjects and how much is written, however, as a whole, everything mentioned is detrimental to the preservation of CH/P.

1.6.1 Criminality

The first step in Theme Two is criminality. This will provide an opportunity to see how crime and criminal networks are set up and operate, this will then become a platform for investigating how CP crime fits into to the big picture. This is a large topic with its own field of study, criminology, but this LR is looking at criminal groups mainly based around the Mediterranean, the Italian mafias and Eastern European crime groups for example. These subjects are of broad interest and the writing on them can be factual or sensationalist. What matters for this research though is building an appreciation of how organised and effective these criminal groups can be, because that will demonstrate that any time that they conduct CH/P crime they are acting with the same intent and ruthlessness as when they conduct better known crimes involving narcotics for example.

This research in general is looking at modern criminality, but criminality itself is not a new phenomenon. Wees (2009) looks at the history and organisation of criminals in the ancient world. He suggests that organised criminality was in evidence but as a number

of smaller groups or bands rather than large, trans-national networks. The focus on the classical world does tie together the themes of this research and understanding the nature of how organised crime fits into the environment is crucial.

Dietzler (2013) discussed how the term 'organised crime' was problematic when considering the infiltration of crime into the art and antiquities trade. She concluded that Organised Crime was distracting when looking at the problem and that the focus should be on the structure and progression of antiquities trafficking, which encompasses both criminal and organisational elements (2013). Therefore, most of the looting seems to be carried out by low-level criminals, and it is only at the next stage of criminality that a more organised criminal element appears. Balcells (2023) quotes Giovanni Melillo, Deputy National Anti-mafia Prosecutor, from a conference talk he gave in 2008 where he argued that all the traditional Italian criminal organisations have a vested interest in the illegal use of the archaeological sites located in the territories that they control, in three areas: the control of zones; the facilitation of related services; and the laundering of profits from other criminal activities via the underground trade of works of art and archaeological pieces (Mackenzie, 2011). This proves mafia interest but not necessarily mafia involvement. What can be argued though is that, firstly, the mafia is aware, and secondly, they enable it.

Dickie (2013, 2011, 2004) has authored multiple books on the big Italian mafias discussing their histories, organisational format and criminal activities. Gilmour also (2012) discusses the big four Italian mafias, saying the mafia in Sicily had gained the reputation on the world stage for being a uniquely brutal, secret, and effective organisation of criminals but there are others in southern Italy with rival qualifications. Calabria has the 'Ndrangheta, which was equally ruthless, and Apulia had the SCU, but the most powerful of all was the Neapolitan Camorra, but he does not discuss any interest in CP crime as a major money generator. Paoli (2005) emphasises that smaller Italian criminal groups enter into a wide range of criminal activities and are heavily relying on violence to respond to threats. However, Mackenzie et al (2020) describe the interest in illicit antiquities for the organised groups as purely financial. Suggesting that they are operating at a higher level, potentially not conducting CP crime themselves but still enjoying a cut. Galeotti (2005) emphasises that organised crime is becoming increasingly inclusive: people and groups with the right skills, contacts or territory could be allowed to operate as part of established networks so long as they can operate within the dominant culture. Prott (2006) thinks that Italian criminals participate in CP crime but have simply brought skills they use in other more established activities to operate in the world of CP crime. Chappell and Polk (2011) evaluate the extent of

organised crime in Italy, the UK and Cambodia drawing comparisons mainly related to the demand coming from legal, high society customers and suggest there is an organised element, but, similarly to Campbell (2013), it is not necessarily Organised Crime in the sense of established big-name criminal organisations.

However, although it seemed reasonably clear in the case of Italy that it is Italian organised crime (no capitals) and not Italian Organised Crime in the sense of the big mafia groups like the Cosa Nostra, 'Ndrangheta, and Camorra. If there was some kind of payment or 'tax' on looting, there was little evidence according to present literature nor that it is systematic or that it was centrally organised criminal activity until the arrest of crime boss Matteo Messina Denaro in 2023, and Kington's (2023) news article for The Sunday Times, which covered many areas of their criminal activity, but of interest, was the declaration that Denaro's crime family, led by his father, supported themselves by the trafficking of works of art. Although this does not represent a broad trend amongst Italian mafia organisations his revelations tied into other research that had been conducted stating the use of Switzerland for laundering purposes and transit that other criminals were using. Though Balcells (2023) reaffirms that there is not a strong link between the big mafias and low-level looters.

A major consideration with any crime that involves objects is that eventually they will have to be moved from one place to another; in the case of antiquities or art, it could be extremely heavy, extremely large, or extremely fragile. Campbell (2013) believes that in execution the only thing that limits people's ambitions is lack of opportunity and if the Italian mafias are involved in CP it will almost entirely be at this transport stage. Ruiz (2001) argues that looters may know their local area but may have no idea how to transport artefacts to market. This journey is discussed by both Kersel (2006, 2002) and Peachy (2014) who states that it can be as simple as putting small artefacts in airplane luggage. However, Kersel (2006) believes it can be quite varied, echoed by Mackenzie and Yates (2017) are also convinced that there are a varied number of methods for moving CP. Linked to that, Atwood (2004) discusses how much quicker objects can go from source to the buyer in the modern age. There is an evident requirement for speed, adaptability, and opportunism.

Mackenzie et al (2020) consider the moment when source ends and transit begins, and similarly where transit ends and entry into destination market begins. Interesting things happen on the edges of source, transit, and destination market, with the interfaces between each creating grey areas within the antiquities smuggling chain. Arguably these numerous grey areas allow organised crime to infiltrate at multiple points along

the chain, or indeed, they are responsible for organisation and operation of all the elements of the chain. Glenny (2009) states there is some commonality between the smuggling routes for different commodities. Thus, a marrying up of smugglers, networks, and routes makes more sense. In 2008 Glenny discussed the 'Covert Transit Directorate' whose primary role was to smuggle weapons to African insurgent groups, but soon the same channels were also being used for illegal people-trafficking, for drugs and even the smuggling of works of art and antiquities. EUROPOL wrote a paper in 2021 on human trafficking routes, identifying four that enter western Europe including the Central Mediterranean Route used by migrants departing from Libya and travelling to the EU by sea on their way to Italy. Evidently criminal groups want to do less work, reduce the risk of capture and attain more profit.

Glenny (2008) also discusses human trafficking and how Greece represented the quickest route into the European Union, once across that border, women could be transported anywhere in the EU (except Britain and Ireland) without having to pass a single police check. With a substantial number of antiquities originating from Italy and Greece, and the chaos of conflict in Libya and Syria, the ability to move freely around Europe means antiquities can cover thousands of miles over a week. Dickie (2013) in his BBC programme, *The Mafia's Secret Bunkers* comments on the huge amount of containers passing through the port of Gaia in south-east Italy bringing in cocaine from South America and the near impossible task the police have trying to ascertain which or the thousands of containers might hold contraband.

Freeports are established as useful places to house art and antiquities that have been smuggled (Kane and Mills-Sheehy, 2019). Watson and Todeschini (2006), two authors credited with uncovering the illicit world of antiquities crime, observed how Giacomo Medici, had three rooms within the Geneva Freeport that housed thousands of items. It is not so much the storage that a Freeport provides that adds value, it is the opportunity to add legitimacy to the contents of a room in a Freeport by providing provenance. Merryman, Elsen and Urice (2007) explain how falsified documents picked up in Switzerland laundered an object (the phiale of Achyris) before moving it onto the American market with a degree of legitimacy.

Criminal activity is a constant source of interest, and perhaps as the Italian mafias have become glamourised through TV and film it has led to a distorted view of their conduct and behaviour. Arguably, organised crime has the broadest appeal out of all the subjects of this LR. The most pertinent points to consider from the literature are the organised and professional set up of these criminal groups meaning they can adapt

quickly to threats and opportunities, their ability to see prospects for making money, and their ruthlessness. This section is focused on the criminal groups and not so much the criminal activity of art and antiquities crime but there is enough evidence that the link between the two goes beyond tenuous to being confirmed, what is more, as time passes and more research is done, these links seem to get stronger. What is missing, is the understanding of how important and impactful CP crime is whether conducted by a recognised mafia organisation or not, and thus it is not referenced as much as it should be.

1.6.2 Archaeology is not Scientific Looting

To provide context on criminal activities such as looting one must discuss the accepted good methodology of removing artefacts from their various locations, archaeology. The researcher was an archaeology student and a field archaeologist in the 2000s and conducted experimental archaeology in the early 2010s and was well versed through lectures and reading of what archaeology was and is. Arguably for this thesis, archaeology is the link between CH/P and the looting of archaeological objects because looting could be described as archaeology without the science, without the constraints of good practice intended to protect CH/P. There are many books on the topic of archaeology, so it is important that archaeology is defined, mainly to separate it from the act of looting. Well-practiced archaeology and the preservation of CP is a motivator for authors such as Yates and Brodie in the previous section therefore a clear, unambiguous definition is important. The definition in Renfrew and Bahn's *Archaeology; Methods, Theory and Practice* (2020) states it is a subdiscipline of anthropology involving the study of the human past through its material remains. This book, the standard core text on most UK university archaeology courses, is key reading as a gateway into the discipline of archaeology. The definition is important because the 'material remains' are what allow archaeologists to study a subject and a place and make informed decisions, the material remains are also the CP that looters target for digging up and selling on to intermediaries. Early editions of this book did not mention the risk of looting and exploitation meaning there was a lack of awareness amongst those likely to do something about it, archaeology students. However, as the coverage in the literature improves over time, so does the interest in that grey area where archaeology and looting separate.

Anderson (2007) discusses the importance of archaeological finds remaining within the context of the site and the dangers of singling out finds as more or less important in

terms of educating people about the past. McIntosh (2010) provides a geographical breakdown of treasures from around the world. Although colour photographs bring the objects to life every one of them shows the object out of the archaeological context. The story of the artefacts in the time they would have been used is told, but in such a way that the artefacts are separated from their physical location, rendering them lone entities, as objects to be viewed maybe even as treasure rather than as part of an historical narrative. This is an ongoing challenge for writers of archaeology books wanting more sales; how to appeal to a certain target audience who want to read about individual items, not understand how those items fit into the wider picture. Similarly, Haughton (2013) has collated a number of case studies that cover the more sensational side of locating artefacts. This kind of writing is supposed to emphasise the excitement of hunting for archaeological 'treasure' if that treasure looks expensive. The archaeological record is subverted into a tool to locate treasure without seeing it as part of the same entity. However, the book does demonstrate how every site and collection of artefacts have their own story to tell and are part of a bigger story. It is that 'bigger story' that comes under threat if looters remove artefacts. There are far more academic books on archaeology other than on treasure-hunting, but it is the act of treasure-hunting and sub-optimal archaeology where this research focuses.

As alluded to, literature on archaeology has previously failed to highlight the risk of looting and trafficking of CP. The target audiences for the books and journals were mostly people with an interest already in the subject matter and there was no need to educate outside of that. This resulted in gaps in awareness and understanding that could then be exploited. However, the role archaeologists can play in CPP is massive and this is not reflected in the current literature but will be addressed in this thesis. Archaeology will continue to be an underfunded and under-appreciated discipline but what needs to happen now is archaeologists discuss further what the threats are to CH/P because without their input, awareness raising will be limited.

1.6.3 Underwater Archaeology or Treasure Hunting

As this thesis is focused on the maritime domain and underwater risks to CH/P, an appreciation of underwater archaeology in the literature must be more in depth than the discussion about terrestrial archaeology. Though archaeological books focussed on the sea are not as numerous as those with a land-focus the genre of underwater archaeology features many books on treasure-hunting. It must not be thought that these two topics are the same, or even similar. UNESCO (undated. E) says that

underwater CH is the witness of our common memory, for several millennia, the oceans, seas, lakes, and rivers hide from view and protect under the surface a priceless heritage, largely unknown and underestimated. Again, it is writing about the importance of underwater CH for a broad audience but it sums up some of the mystery that attracts people to what is potentially an untapped resource. This immediately raises concerns over the vast majority of literature on this subject coming across more like adventure novels than academic research.

There are a growing number of studies of CP trafficking now but very little on the use of the maritime domain, but one must consider trafficking as a multi-dimensional activity. CP in the maritime domain is an interesting area of study that has not benefited from proper in-depth research, possibly due to the pure logistical challenge of carrying out archaeology underwater. However, according to Anderson (2017) this is an untapped and potentially vulnerable area. Gane (2019) states there are four categories of underwater CH: boat and shipwrecks; aircraft crash sites; submerged landscapes and paleo landscapes, and maritime infrastructure. This LR could overlap with categories one, three and four as they can sit within an ancient context, but category two, aircraft crash sites, is not considered. UNESCO (undated. F) state that after three millennia of seafaring the amount of wrecks should equate to an average of one thousand lost vessels every year since the Bronze Age. When discussing marine wrecks several authors discuss the uniqueness and challenges of an underwater site (Anderson, 2017; Gibbins, 1990). This in part explains why there are so few books on underwater looting, and indeed, underwater archaeology in general. It is a continual theme throughout this section that underwater archaeology and underwater looting are not that different in terms of methodology. The Nautical Archaeology Society produced a 'guidebook' to their suggested principles and practice (Dean and Ferrari, 1992). As well as providing very clear guidelines on how to conduct underwater archaeology, it is also very clear on what archaeology is not; predominantly it is not salvage and it is not treasure hunting, but that assumes the person reading it has no interest in underwater looting because by adopting the techniques described in the book, one could conduct either, and underwater looting may be cheaper. It also raises the pertinent point that archaeologists and curators will cross paths with salvagers and treasure hunters in a professional capacity and the importance of integrity when these worlds connect. Johnston (2003) during the World Archaeological Congress defines Underwater Archaeology thus:

> 'It is the systematic study of past human
> life, behaviours, activities and cultures

using the physical (or material) remains
(including sites, structures and artefacts)
as well as other evidence found in the
underwater (or submerged) environment.'

Underwater archaeology is collecting evidence from the seabed to tell people about their maritime past. The wording is extremely close to the Renfrew and Bahn definition of terrestrial archaeology including the phrase 'material remains' which can be linked to CP, as can the term 'evidence'.

A man widely recognised as the pioneer of diving and underwater exploration, Jacques Cousteau, wrote in 1971 about one of his expeditions in the Caribbean. Although outdated in outlook, this text hugely emphasises the development that has taken place over 50 years in terms of ideas and perceptions of underwater archaeology and what it is and how it should be conducted. He is obviously interested in the history of the sea and how to apply archaeological techniques but it is all focused on the pursuit of treasure. It is the convolution of thought processes, viewing artefacts as both treasure and as part of the archaeological context, that resonates with the problems on land discussed in other parts of this review. It reads like an adventure story, which appears to be the accepted approach during this era. Also published during a similar period is 'Diving For Treasure' by Throckmorton (1977), an American photojournalist and pioneering underwater archaeologist, which also talks about the excitement of underwater discovery but does say that the ship, not just the treasure is what matters. It is a recollection of thirty years of discoveries and investigation. Considering how hard it was for the average person to go scuba diving back then it suggests the target audience for these kinds of books was wider than people simply interested in archaeology. He highlights some of threats to the maritime archaeology making an observation about the destruction of a first century Roman ship by divers in France in 1957 (no page number):

"A whole chapter in the history of
navigation was blown to rubble by some
mindless diver, perhaps hunting for non-
existent gold, destroying not from malice
but stupidity, like a bored child spilling the
sugar on a rainy afternoon. The glory of
the world must indeed pass away, but it

> seems wrong to speed its passage with
>
> dynamite and sledgehammers."

This is a brief insight into the techniques used to loot ships is quite unique. Here, a writer who represents the thrill of discovery has commonality with Yates and Brodie, and Anderson by condemning the stupidity of a mindless diver. It also hints at how time impacts the integrity of CP and the fact that all CP is perishable.

Campbell (2021) believes marine exploitation is responsible for killing large quantities of marine species, exploitation of looted sites and sale of artefacts in markets around the world is quickly turning shipwrecks into endangered species as well. Though Campbell appreciates the threat of diminishing amounts of artefacts poses to CP more broadly. Interestingly, and in a juxtaposition to many, Kennell (2019) discusses how underwater archaeology as a discipline was not created and established by archaeologists, but how in the 50s and 60s recreational and sports divers and treasure hunters also played their part. This would explain why so much of the literature has a boy's own approach to this discipline compared to the scientific approach of land archaeology, but also explains why as a key area of interest there is such a breadth of writing styles and viewpoints on the discipline.

Potter (1973), although an oceanographer and engineer, describes four types of treasure hunters; the armchair adventurer, the scientist, the active adventurer and the hardened professional. Although he came up with this breakdown in the 70s it almost describes the different types of author for underwater archaeology books. The term 'treasure hunter' is obviously problematic but there is an attempt to differentiate the act of treasure hunting, and research and recovery. In line with its title as a guide it provides a series of training methods, identification tools and site locations. There almost seems to be a narrative style to write about shipwrecks, sunken treasure and suggest the more hazardous the search, the more financially valuable the artefacts and the more exciting underwater archaeology becomes. Bass (2005), Bound (1998), Marx (1993) and Muckelroy (1980) have all contributed books very similar in style celebrating the excitement of discovery as the only part that really matters. They are entertaining reading but the style seems different to books on terrestrial archaeology, as though this lesser-known discipline, does not need to be so academically rigorous.

Varinlioglu (2016) discusses how technology and engineering are aiding the discovery and recording of underwater archaeological sites via digital data collection, visualisation and interactive dissemination. There is also a discussion about an underwater CH project, concentrated off the Turkish coast and describes the

comprehensive and systematic approach to digital surveying that is taking place. The need for a suitable framework is key for success and this discussion hints at future ways of working and what can be an actually cost effective way of survey. This discussion on the impact and potential of technology will be further explored in the stakeholder interviews.

Due to the visual impact of many underwater archaeology photographs there are a number of photo-journals. La Riche (1996) writes about the discovery of Alexandria at the same time that Varinlioglu (1996) wrote about Turkey, in the style of a day-to-day account with photographs. It is not an academic piece of literature, but provides the history of Alexandria to give context to the search and emphasises the logistical challenges of working underwater and with artefacts that could weigh many tonnes. This is far more time consuming and dangerous than collecting amphorae from the seabed. These insights add valuable understanding of the challenges and risks of underwater archaeology. In addition, Bischoff and Gerigk (2016) provide a photographic journey of modern-day maritime archaeologist Franck Goddio's efforts to discover and record the ancient city of Alexandria in Egypt. The descriptive nature of the search and recording of discoveries are reminiscent of books written decades before but there is a definite effort to emphasise the technological approach used to find and study antiquity underwater, beyond the quality and capabilities or diving gear alone. The other benefit is multiple colour photographs to tell and document the methodology. This at the same time emphasises the laborious tasks that need doing such as the recording of finds but this seems to be the balance that is required when discussing underwater archaeology.

Robert Grenier (2006), the President of the ICOMOS International Scientific Committee on the Underwater Cultural Heritage (ICUCH) talks about the two risks to UCH being mankind and nature. He picks out tsunamis and hurricanes which have the power to destroy CP. The impact of nature and climate change is something that will only be more studied and written about in the future. This accentuates how important it is to have buy-in at the highest levels to enhance protection. This is emphasised when Jing (2019) argues that the importance of underwater CH is so crucial to Chinese identity and that has brought about changes in legislation and policy. Considering the UK still has not ratified the 2001 UNESCO Convention for the Protection of Underwater Cultural Heritage it emphasises the disparity in outlooks from different nations and their authors and writers.

Of all the sections in this LR, the underwater archaeology section is the most contentious. It is hard to separate scientific and methodical research and the treasure hunting mentality that potentially sells more books. There are well known names writing in this area, but the attitude seems different to that of terrestrial-archaeology writers. Potentially, as underwater archaeology developed so much later than its land-based counterpart, the use of new technology and the discovery of underwater environments brought about a different mindset, that of the explorer looking for treasure, rather than the land-based archaeologist covered in mud or dust digging through dirt. One could argue that the 'wow-factor' utilised by many authors, many of them with reputable work experience and knowledge, was intended to exploit this new world. However, despite all of that, there is hardly any mention of underwater crime. This gap suggests that literature on the underwater environment is sparse. This presents an opportunity for the researcher because this niche area is growing in importance.

1.6.4 Art and Antiquities Crime

This research is focussed on the criminal activities that are conducted in the modern era which are resulting in the mass destruction of CH. This review has two foci: art and antiquities. Both entities can be the subjects of crime but the focus in the literature is predominantly that art is forged or stolen, and antiquities are looted. Most of the literature is on crime in the art world specifically and there are a large number of books written on this topic, it seems to have a broader appeal and is documented by a number of authors on multiple occasions (Hook, 2017, 2013; Mould, 2011, 2009). However, crime in relation to antiquities is a growing area of research that law enforcement agencies are beginning to reference online, and a number of blogs regularly reporting on CP crime such as ArtNews and The Art Newspaper. The Association for Research into Crimes against Art (ARCA) blog covers specific criminals or provides updates on specific cases. These may be historical or contemporary and focuses completely on the criminal element.

There is a core group of authors who have contributed regularly to research on CP crime and protection in the last 20 years. This group includes Neil Brodie and Simon Mackenzie. Most of the authors are, or have been, archaeologists or criminologists, at some of the top academic institutions in the UK. They view the activities of looting and smuggling as criminal acts that destroy archaeology thus impacting negatively on the research of past societies. This theme appears repeatedly within the literature (Brodie 2020, 2014, 2006; Mackenzie 2020, 2016, 2005, 2002).

The Art and Antiquities Crime section constitutes a major part of this LR. It is an interesting subject that garners more than just academic interest, often appearing in mainstream news, and in TV and film. Therefore, the question that must be posed is what CP crime is. Consequently, the researcher has attempted to write a definition for this thesis. This is based upon the researcher's reading, interviews and general understanding of the problem. By creating a definition, the literature could be measured against it to see if the definition was accurate, or open to criticism. This thesis proposes the following as a definition of CP crime:

> 'The illegal acts associated with the
> destruction, unlawful removal,
> misrepresentation, and subsequent sale of
> any physical piece of culture, art, or
> antiquity.'

With this definition in mind, understanding the illicit trade in antiquities is crucial. If financial reward is driving the market, criminologists and archaeologists have in common a vested interest in ending the trade (Mackenzie and Green, 2009). In recent years academics have started to expose a world where crime and legality interface and governments adopt measured approaches to combatting CP crime (Campbell 2013). What most authors agree upon, is that the world of CP crime is incredibly complex, involving a multiplicity of characters and organisations in varied geographical locations from local up to international, and moving objects worth huge amounts of money. Gerstenblith (2006) states that thefts of art works from both public and private collections and the looting of antiquities from archaeological sites are major international crimes and this criminal activity is constant and damaging. A key moment in uncovering of the illicit art and antiquities trade was the release of Peter Watson's and Cecilia Todeschini's book 'The Medici Conspiracy' in 2007. This highlights the early 1970s and New York's Metropolitan Museum of Art's purchase of a calyx krater, an ancient Greek painted vase, for $1,000,000. It exposed just how much theft and looting was taking place and how much trafficking occurred as a result.

According to Kersel (1990), in some cases, thefts are pre-ordered by dealers and collectors. This is not only organised but demonstrates the corruption of the marketplace. Campbell (2013) looks at the impact of eBay and other online selling platforms and how this has opened up a new front enabling many more buyers and much more discretion.

Hardy (2018) talks about online chat forums where looters discuss sites, and online evidence of people training others in methods to get CP across borders (2020). He (2021) describes these online communities as artefact-hunting collaborations. Campbell (2013) agrees that criminality within CP is organised, but he also believes the set-up is fluid. Felson and Boba (2010) concur stating criminal networks are typically composed of interchangeable participants collaborating together when it is mutually beneficial avoiding complexity and central organisation or hierarchy. They argue participants in criminal networks are not typically career criminals but are generally rational thinking and otherwise ordinary individuals taking advantage of an opportunity to supplement their income.

Cohen and Felson's 1979 research developed The Theory of Routine Activities which proposes that crime will occur where there is a confluence of three factors: a motivated offender, a suitable target, and the absence of a capable guardian. In the CP world, offenders are motivated by the money involved, historically archaeological sites for example are not well protected, and the limited resourcing of law enforcement means they will prioritise crimes with the biggest impact such as drugs or weapons trafficking.

Looting is the key crime associated with the extraction of antiquities and must be defined. The word looting interestingly derives from Anglo-Indian meaning to pillage during war or riots – to steal (money or goods), especially during pillaging (World Histories, undated). However, in some situations, we may consider any antiquity's extraction at an archaeological site, performed without use of proper archaeological methods of excavation and recording as looting. "Looting" is defined by Bowman (2013) as the removal of culturally significant material from archaeological sites for commercial gain, the act of which destroys archaeological context or evidence needed to learn from the site. This links to the researcher's definition of CP crime under destruction and removal. It may be best to consider the looting of an archaeological site to feature both a lack of archaeological rigour and the violation of a policy or law, usually with the expectation of financial gain (Mackenzie et al, 2020). Kersel (2006) says the archaeologically rich market is based primarily on individuals, families, and organised bands of looters who supply antiquities for the more controlled components of the trade. However, there is further concern according to Weber, Fishwick and Marmo (2017) because looting is also a short-termist and anti-communitarian economic strategy. Bohstrom (2017) says that looting underwater treasures in particular is not lucrative due to the expenses involved, however, if people are unwilling to enforce maritime law, then it is impossible to stop looters. He makes the point that for every item that gets to market there are probably ten that get broken or discarded out of

context. Bowman (2013) goes on to say the looting of archaeological artefacts fuels the international trade in antiquities. So how looters operate is key for the antiquities market as a whole. Watson and Todeschini (2006, p.19) claim:

> 'That 'for any investigator, a stolen object
> is always easier to deal with than looted
> works. There are records of stolen works,
> whereas looted objects almost by
> definition leave no trace when they are
> dug up in the middle of the night by a
> tombarolo.'

When considering Italian looting the tombarolo is a key figure within the literature, and a prime supplier for the antiquities market. At a lower-level Watson (2006) provides some real detail on a famous tombarolo (tomb-robber) Pietro Casasanta, who was caught illegally digging and confessed to how the illicit market operates at his level. Ruiz (2001) did an interview with a tombarolo looking at what she called 'the world of illicit archaeology'. Not a useful term to use but it was a very useful lived-experience account of what it was like to loot and the challenges the looters faced. In all cases the equipment used was simple and their local archaeological knowledge was extensive.

Weber, Fishwick and Marmo (2017) believe looting of archaeological sites is less overtly damaging than acts of large-scale state iconoclastic destruction, but just as damaging long-term. Pauwels (2016) and Nesser, Stenersen and Oftedal (2016) propose the two link together and that the motivations for these initial crimes could be funding terrorist acts or building war chests. Potentially the starting point is to look at why people commit CP crime and then work out a response. The answer seems to be in some measure an element of the theory of organisational deviance, which can be thought of as drawing together several key theoretical positions in criminology, including Differential Association and Routine Activities Theory. Mackenzie et al (2020, p.85) state:

> '…organisational deviance, is a type of
> social learning theory in which deviant
> norms are seen to grow and become
> sustained in group settings where there
> are a preponderance of learned definitions
> that are favourable to violating the law

over learned definitions that are

unfavourable to it.'

This is mirrored by Hardy (2014) who describes Cyprus and how the looters and traffickers sometimes got permission from people within various armed groups who were in control of the territory during the Civil War. Mackenzie (2011) also references the involvement of state military, militias in conflict states, and organised crime groups, such as mafia-type organisations in Russia, Italy, and China.

There are a myriad of crimes associated with art too. One of the most common is forgery, and there are more books written on this topic than any other in the CP crime world (Barelli, 2019; Jackson, 2019; Pryor, 2016; Amore, 2015; Charney, 2015 and 2009; Knelman, 2011; Bazley, 2010; Craddock, 2009; Salisbury and Sujo, 2009; Dolnick, 2008; Innes, 2005; Mason, 2004; Beckett, 1995; Graham, 1993; Savage, 1963; Mendax, 1955). The majority discuss techniques, materials and case studies. The date range for these demonstrates an enduring fascination with the subject, and how continually discovering forgeries means there is constantly new material to study. Anderson (2017) goes into detail and suggests there are materials that forgers prefer because they are easier to pass off as appropriate to the period they are forging. Stone cannot be aged but remains an appropriate material for a 'Roman' statue for example.

Burleigh (2008) looks at forgery and the combination of the allure of antiquities and the power of religion, if one considers biblical forgeries, which is another dimension that can be a motivator to possess objects from the past. Sotiriou (2018) studied a large number of offender arrest profiles and claims that through his analysis nearly 81% of all cases combined real and fake antiquities. Coins are the mostly likely object to be copied, in a number of different metals. He goes on to say the popularity of classical antiquity as a time period implies that a lot of these fake coins were and are intended to be sold to tourists at Greece's main tourist sites. He further points out that 36% of the criminals would constitute being part of organised crime by European and Greek law standards, but as not every person who was active could be caught, people were prosecuted individually, making it hard to demonstrate the organisational element.

Museum heists are something that captures the imagination with many writers discussing some of the most high-profile cases. The practical element of museum security is important but not what this thesis is concentrating on. However, Tompkins' (2016) Art Crime and its Prevention is a comprehensive handbook describing how to protect art, and frequently refers to art crime, even when that terminology becomes broad. This is in many ways a tactical application of procedures that is useful but

limited. An appreciation of some of the texts covering this subject will help demonstrate an important element of art crime, and why the general public does not necessarily see art and antiquities crime as important. In the UK, the 1961 theft of the Goya portrait of the Duke of Wellington is documented by Hirsch (2016) but as with some of the writing on underwater archaeology it seems to be more about sensationalism than looking at the story as a criminal enterprise. Boser (2009) writes about the Garner Heist in Boston in 1990, a crime that captured the imagination in the US and to this day remains unsolved. Perhaps what is most telling is that despite a thorough investigation and a substantial financial reward being offered no progress was made, but again one wonders which side the reader is supposed to support. The lack of a conviction only creates mystery but does little to condemn criminal involvement. Webb (2008) provides a well-documented account of many missing art works and Knelman (2012), although describing what appears to be a glamourous world traces the movement and speed at which these thieves can operate and the violence that accompanies it. Nairne (2011) also goes deeper looking at some of the psychological aspects for why people steal artwork, which could link to why people collect it.

There are multiple other books written on the subject (Gekosi, 2013; Amore and Mashberg, 2011; Felch, 2011; Wittman, 2010; Connor and Siler, 2009; Houpt, 2006) but perhaps the most well-known writer on this topic who has written prolifically is Charney (2021, 2018, 2009), his books look at art crime, the art market, the art world, and this comprehensive approach does not avoid the glamourous side but clearly documents the threats, the risks and the issues with the art and antiquity world as it is now. This LR has separated museum heists out as they are not directly relevant to the thesis, however, what does matter is the common portrayal of art crime and the people who do it. If the literature does not take them seriously then one cannot expect anyone else too.

Art crime is evidently something that captures the imagination, both of academics and the general public, and as such is well represented in the literature. The focus for antiquities is looting, predominantly on land, and the research is global and comprehensive and seems to suggest teams or loose organisations in operation. The majority of art crime writers cover crimes such as forgery and theft and suggest that it is more insular, either individuals conducting forgery or that there are small teams conducting museum heists. These subjects are well-documented in the news further emphasising the impact that this kind of crime has, even if it is not taken as seriously as drugs or guns. Such a broad mix of literature is informative, entertaining and broadly appealing. Perhaps where it falls down is emphasising the stress, violence and fear

that is also part of the CP crime world. If the literature portrayed it as seriously as it is then maybe the public perception would be more realistic.

1.6.5 The Impact of Conflict on Cultural Property

The study of conflict and CP involves research into two significant subjects: war and terrorism. Although this research is not intended to revisit this well-studied area in depth, it is worth noting how war has shaped attitudes within the CPP fraternity and how much has been written about it. Conflict massively increases the availability of CP to be looted and transported to market countries. The focus of this research is on criminality's involvement with CP which usually takes place during or after conflict, so one must consider the impact of war on CP as a way of creating the conditions that allow criminality to infiltrate CP frameworks. There are many academics writing on this subject and some are now, through organisations such as Blue Shield International, being hired to conduct training for NATO and national militaries. NATO have also produced a number of documents regarding the importance of CPP.

Conflict's impact on CP is not new, Hook (2013) argues that warfare and looting go hand-in-hand and Nicholas' (1995) book *The Rape of Europa* stringently exposes what Nazi Germany under Adolf Hitler was capable of, as art, wine and CP was taken from all occupied territories to Berlin. Stone (2019) suggests there are seven risks to CP during armed conflict: it is not regarded as important enough to include in pre-conflict planning; through pillage; through lack of military awareness; as the result of collateral damage; through looting; through 'enforced neglect'; and finally, as a result of specific targeting. Regarding looting during conflict, he points out that the conditions created by the fighting benefit criminals because the usual constraints are removed such as police and security guards at sites and museums. This concisely demonstrates the lawless environment that conflict can create, and links to Routine Activities Theory. One can add the lack of customs officers to this too, as borders become deregulated and criminal gangs can exploit the lack of control. In 1998 Nikolic-Ristanovic commented that 'war, as a phenomenon of social disorganisation followed by paralysed or bias formal control, usually creates favourable conditions for the increase of the crime rate' (p.463). Anderson (2017) and Atwood (2004) comment on the speed at which Iraqi artefacts went from museums to the international markets. Evidently there is a parasitic relationship between war and crime, but war's interaction with CP can be more textured. Randall (2005) talks about the devastating effects of looting on the Baghdad

Museum during the Iraq War. This is also the focus of Polk and Schuster (2005) in their book on the looting and the long-term ramifications of so much lost CP.

In terms of literature, the Iraq invasion of 2003 seems to be a turning point for focus on CP and conflict. This is recognised by Mackenzie et al (2020), Casana and Panahipour (2014) and Emma Cunliffe (2012) discussing widespread looting in Syria throughout the 1990s and 2000s and how organised smuggling groups were therefore well placed to take advantage of the conflict after 2011 when it presented new opportunities for illicit business. Mackenzie et al (2020) also talk about a deeper, more permanent cause for looting though, which is only enabled by a war; economic vulnerability with no sense of relief, they think it more accurate to say that looting antiquities is observable as a by-product of the economic disruption associated with conflict as felt by the most economically vulnerable. If war can create the conditions for criminals to act at the local level the presence of actors able to move objects across the world suggests global crime networks. Galeotti (2005) and Naidu (1998) discuss the impact of globalisation on the world and the emergence of transnational crime groups and their integration into society at every level.

Terrorism is a key factor too. Curry (2015) discusses what he describes as a campaign against archaeology in Syria suggesting organisation if not professionalism. Anderson (2017) analyses the motivations of iconoclasm in the destruction of CP and how it can totally destroy CH. Threat Finance is also a theme in some of the literature. An article in Freedom From Fear Magazine (2016) looks at how ISIS were funding terrorism through illicit trafficking and taking advantage of open borders in conflict zones. Ten years earlier, Bennetto (2006) had broken the news of fake Iraqi artefacts being sold in the UK to fund terrorism.

Edmondson, Fogarty and Peifer (2021) discuss how the US military, despite its technological advantages and military might, struggled to counter and defeat insurgencies and how not understanding of the importance of CP meant a lack of willingness to weave it into military planning. Of note, when speaking to individuals from the US military he discovered that few had the heard of legislation or organisations that protect CP but most of them could give examples of its destruction. This suggests that the importance and notoriety of CP destruction is well-known. Evidently the British military's past involvement in CP is not always blameless. The use of State resources to enable CP removal had been happening since the 18th century when the Royal Navy was utilised to help get works of art home from Italy for collectors

of influence (Hook, 2017), and the transport of the Elgin/Parthenon Marbles was carried out by British naval ships, effectively paid for by the State (Atwood, 2004).

The target audiences for these types of books and articles appear to be very varied, and thus a lot of the material is accessible, both to academics and the interested public. War, terrorism, and the historical angle mean that anyone wanting to know more about the conditions for CP crime would have to be interested in this topic. Again, there is a massive terrestrial bias with hardly anything mentioned about the risks of maritime terrorism or even maritime piracy involving CP. However, in general, writing on conflict and CP seems to be quite balanced and in depth building an appreciation of what happens and then the impact as a result. This LR must make reference to a topic that lays the foundation for so many threats to CH/P. Conflict is an unfortunate part of humanity and it demands that this thesis revisit this subject during the interviews.

1.7 THEME THREE: THE PROTECTION OF CULTURAL HERITAGE

Theme Three is the crux of the thesis but is only a result of the research that came before. Defining CP crime was a key step, and likewise, understanding what CPP is is vital. There is a lot in the literature but predominantly it is focussed on the uniformed sector, such as the police, and their efforts to protect CH/P. Obviously for the police to act they need a legal framework to work within. Potentially the broad appeal of art crime is not matched in this section as the law and law enforcement procedures do not enjoy as much coverage. However, this is the main area of motivation for this thesis as a whole; how can CP be protected.

1.7.1 What is Cultural Property Protection

It is pertinent to understand what CPP is, and what it looks like. There are many threats to CP, and if the researcher's definition is accurate then at the very least protection would entail; preventing destruction, preventing removal, preventing misrepresentation like fakes and forgeries, and preventing sale when not legitimate.

Watson and Todeschini (2006) and Campbell (2013) say one of the issues of response to CP crime which is repeatedly mentioned is that many of the responders do not necessarily agree on how that response should look, and who is responsible for formulating and coordinating that response. For a definition of CPP, one is mainly forced to go to organisational policy documents. It is not surprising that one area that

tries to define it is the law. The 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict is the military's legal duty to enforce but it does not use the term 'Cultural Property Protection' anywhere in the document. NATO has written doctrine (AJP 3.19) that says why to do CPP, but does not say what it actually is. The US Department of State (undated) says what CP is, but does not describe how to protect it.

Mackenzie et al (2020) state the antiquities market is a connected economic and social network constituted as a field of communications, a circuit of commerce, and that the regulation of these communications may increase control over illicit trade in the market, improving the information flow throughout the antiquities trade so that the true provenance histories of objects, and the implications of these, are known to buyers, would be an important step. Such a step may indeed be useful, but as yet no one organisation would want to take responsibility for overseeing this. The literature too has failed to identify who could take the lead.

This is perhaps one of the weaker areas in the literature, possibly because the problem of CP crime is so multi-faceted that no one feels able to really define how to protect it, or people do not mind what the definition is, as long as there is some activity that involves protecting CP. Through stakeholder interviews the researcher will bring more clarity to this point.

1.7.2 Legal Frameworks

Despite a lack of a clear definition of what CPP is, there are however, laws to protect it. Talking about the dry subject of legal frameworks rarely appeals to a broad audience, however, as the legal frameworks are in place to protect CP literature on the subject must be reviewed and evaluated. Engaging writing on why the laws surrounding the protection of CH/P should force people to understand what the laws are intended to do, how they can be implemented, and what the consequences of not enacting good legislation is.

At the highest level, the law should be the first step in protecting CP. However, as Mackenzie et al (2020) discuss; buyers of antiquities are willing to pay a price that is high enough for looters and sellers of antiquities to risk violation of the law. Furthermore, an interesting study of Mackenzie's (2007) revealed the impact of the 2003 Dealing in Cultural Objects (Offences) Act on the UK market and its role in the international illicit market. The research revealed not a positive appraisal of the Act, but

more worryingly perhaps, that the inability of the Act to enforce good practice was generally seen as a green light for mediocre or bad practice. Mackenzie and Green (2009) later argue that any internal regulation of traders had no effect and they did not intend to alter their activities in light of the Act. Mackenzie's research suggests that if market actors will not self-regulate, someone else must step up to act within the moral void.

Campbell (2013) and Bowman (2011) discuss the challenge that there could well be fundamental flaws with applying national laws to fighting antiquities crime, in the case of Italy, there laws are set up to fight the mafia, and they combat the mafia based upon the understanding of it as a hierarchical organisation, and as previously discussed the organisations of CP criminals are much more fluid. Although many archaeologists are against the international traffic in all archaeological material, most now take what they see as a more practical, pragmatic approach, that one should not deal in, or have anything to do with, antiquities that have no provenance, or may have been illicitly excavated, but the main priority is to stop the looting now, and for this the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property was reasonably sufficient. Atwood (2004, p.43-244) argues that:

> 'The 1970 Treaty proved more effective
> and durable than anyone had any right to
> expect, the antiquities trade has changed
> a great deal since then [but unfortunately]
> the international legal framework to
> combat this has not'.

Ways of conducting criminal enterprise have evolved and adapted and unfortunately the legislation to protect CP has not changed with it. Smuggling has become more professional; goods move faster, suppliers are in closer contact with buyers, airports now stand where before there were barely even roads (Atwood, 2004). Thus, Cuno (2008, p.153) argued it is time to question whether the nation-state bias of UNESCO and its Conventions has proven it to be a help or hindrance to the protection of the world's cultural and artistic legacy. He sums it up:

> 'To date, some thirty years after it was
> drafted, UNESCO 1970 has failed, and
> failed because it has no teeth: it cannot

contradict the authority of its Member States'.

The Italians use the 1939 Law Concerning the Protection of Objects of Artistic and Historic Interest to enforce the nationalisation of antiquities, whereas the UK establishment has some control over its own CP over fifty years old, but openly flaunts the rules when selling another nation's CP in its auction houses (Anderson, 2017; Brodie et al, 2006).

UN policy documents were written with good intentions but do not clarify many issues within the maritime domain. For example, to further complicate matters the United Nations Convention of the Law of the Sea (UNCLOS) states that anything found at sea belongs to the finder, which contradicts the 2001 Convention on the Protection of Underwater Cultural Heritage. This allows salvage companies, fishermen, tourists, divers and criminals to exploit the situation. In addition, not all countries have signed up to the Convention despite its mutual benefits. UNESCO (2016) points out:

> 'Underwater cultural heritage
> encompasses some of the most precious
> cultural sites that the world has to offer,
> including ancient shipwrecks, sunken
> cities, sacrificial offering sites and
> prehistoric landscapes. For thousands of
> years it was largely unreachable and free
> from human intervention. Today, however,
> it has become accessible due to
> technological advancements, beginning
> with the invention of the aqualung in the
> 1940s. While modern equipment facilitates
> scientific research, it also allows treasure
> hunting to flourish. Pillaging, destruction
> and extensive treasure hunting is now
> taking place under water.'

The issue of unclear maritime legal frameworks is very relevant to some of the challenges regarding the protection of CP in the Mediterranean region and the UK. The UK and Italy share a crucial geographical feature that makes smuggling appealing, extremely extensive coastlines and well-established trade hubs for maritime activities. Dickie (2011) emphasises the history of porous borders and how criminal intimidation

of customs officers has kept them open. Lewis (1998) agrees arguing that freighters and ferries transport large goods and high-speed boats are regularly used for smuggling purposes from the Balkans. Italian criminals have profited greatly from access to the sea.

There are a number of journals written on the weaknesses of certain laws to protect underwater CH, especially in the UK. Martin and Gane (2019) point out that the UK has some of the richest areas of UCH but it is open to destruction, looting and theft because the legal framework is not there to protect it. They suggest a listing system as with terrestrial archaeology by which sites and finds are recorded. However, even this step would be expensive, let alone the cost of checking sites and pursuing looters and salvagers. They do point out the risk of salvage companies to UCH though and that is a reoccurring theme. In 2018 Roberts discussed some of the issues for the UK and why the government thus far has not ratified the 2001 UNESCO Convention for Underwater Cultural Heritage when so many other states have. Strikingly, she suggests that a nation that is surrounded by so much maritime heritage can be in a position where that heritage presents a financial and logistical burden that a government does not want to bear.

Ultimately there is no legal framework according to any author that comprehensively protects CP. Criminality and conflict have laws in place to prevent the destruction of CH/P but nothing in the literature suggests either are working particularly well. Yet the importance of an effective legal framework cannot be underestimated, academics and authors should not want to see laws fail, but examine ways they can be improved or better implemented.

1.7.3 The Law Enforcement Response

The Law Enforcement Response section is closely related to the motivation for this thesis. Understanding what they do or can do is vital. At all stages of criminal activity, regardless of what that activity is, law enforcement agencies will be trying to hinder, interdict and contain offenders. The 'response' is a theme in the literature, but it is a complex concept, rather than for the most part, a reality, or a breakdown of all the activities conducted by law enforcement. Hicks (2006) has a traditional view and writes that law enforcement is the key factor in preventing CP crime. However, this focuses on what law enforcement should do, without appreciating the constraints they are under. Mackenzie et al (2020) berate the ineffectual response of governments and Anderson (2017) concurs, claiming that organised criminal factions have long-

established relationships with corrupt law enforcement officials, and looting often occurs during the day, not under cover of night. However, Glenny (2008) is more circumspect suggesting that law enforcement simply do not have the resources to meet the requirement. He says that organised crime will be bolstered in a place that there is no political will to defend it, and thus will not properly fund law enforcement to tackle it.

One cannot discuss the protection and restitution of CP without considering the efforts of the Italian Carabinieri, the world leaders in CPP and the most successful CPP unit, Amineddoleh (2020) describes how they have been playing an essential role in combatting the threat to art and antiquities for five decades. Rush and Millington (2015) have written a concise history of this organisation's CP arm, the Carabinieri Tutela Patrimonio Culturale (TPC). It is probably the most comprehensive account of the organisation's history, set up, and activities. They are viewed as a pioneer and frequently referred to in the literature as the pinnacle of their profession (Charney, Denton and Kieberg, 2012). Watson and Todeschini (2006, p.14) say:

> 'What separates them in many ways is the attention to detail in their training, all investigators in the Art Squad are given lessons in art history – in painting, sculpture, and drawing – by the superintendency of Italy's Culture Ministry, and because they handle a lot of objects, and see a fair proportion of fakes, they quickly develop an 'eye' for the quality of artefacts.

Atwood (2004) writes that the organisation is well financed, well-armed, and well versed is using satellite imagery to track looting. Brodie et al (2006) comment that they used some of their skills honed in Italy to assist with the Iraq situation by conducting operations from helicopters. This level of discussion about one police unit demonstrates how they are the CPP subject matter experts and happy to use technology to combat CP crime.

However, there are detractors. Watson (2006) argues that when governments, or police forces such as the Carabinieri, discover that a major object has been looted from their territory, they should contact the banks that are known to specialise in funding art and antiquities dealers, as well as circulating it to police forces, auction houses, and art loss registers around the world. As a result, it might create better coordination which

would lead to better deterrence. Glenny (2008) discusses the hopelessness of Italian police trying to interdict smugglers using high-speed boats to stop smuggling in the Adriatic.

Hicks (2006) argues that law enforcement agencies at the local level are best poised to interdict looting, but are limited in experience and skill. Stead (1998), writing at the end of the 20th century realised that even stable countries where there is a heavy crime-focus politically and where there is spending on policing and security, there is still reports of violent organised gangs looting archaeological sites and intimidating locals. A more joined up approach is crucial, and at the tactical level, understanding what other types of help are available could be extremely useful. He goes on to say these local officers may not understand the role of the archaeologist in constructing a criminal case; as cultural resource experts, archaeologists should expect to guide and educate local law enforcement officers in an investigation. Hicks (2006) wants to use their investigative skills to guide archaeologists in evidence collection to support successful prosecution. This symbiotic relationship would prove successful if widely adopted.

Many organisations and authors have emphasised the importance of building an intelligence picture even if they would not necessarily use that terminology. INTERPOL (2021) view information as a key element in the battle against CP crime. The World Customs Organisation (WCO) Illicit Trade Report 2022 states that there is a crucial role for Customs in combatting the illicit trafficking of cultural goods[9]. Galeotti (2005) argues a comprehensive data base of antiquities and art or sharing observations and intelligence from various actors could fill gaps in the response. Intelligence agencies are not only being deployed against transnational and organised crime but are developing their own specialists in the field. This is a key part of winning a long-term battle on multiple fronts and intelligence agencies are well placed to have an operational overview. MaCalister (2005) reports that organised crime clusters near arterial routes and Campbell (2013) believes that countries should focus on what is happening within their borders so a country needs to tailor their response to local conditions and target convergence settings which provide a nuanced and adaptable approach. Furthermore, he (2013) states that criminals congregate in locations where they can meet collaborators, if these locations are identified by law enforcement, then criminals must find new, riskier, locations. These insights are useful to see antiquities trafficking in its wider context.

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[9] However, Anderson (2017) says customs officials are just as open to corruption as any other law enforcement officer.

There are a number of policy documents that have been produced by international organisations as toolkits for people to use, predominantly in times of crisis. Amongst the organisations that have written policy are ICOM (Burnham, 1974), ICCROM (Tandon, 2018) and NATO (Berends, 2020) and these documents inform ways of conducting CPP and reasons to do it. They are targeted at people that work for the organisations, and anyone else with an interest in the subject matter can freely access them. What sets them apart and perhaps makes them more accessible is the practical elements that they relate, moving away from just the theory and why CH/P destruction is wrong, they look at ways to save, protect and preserve CH/P. They are well thought-out, detailed documents that demonstrate the mindset that these organisations want those that read them to have. That is a crucial aspect, CPP is not just the preserve of academics discussing the 'why', the logical next step is to tell people how to protect it. With the understanding that the academic arguments formed a foundation for writing these handbooks in the first place, but what they enable is a far wider workforce dedicated to CPP. These documents, many of which are in multiple languages, will appeal to far more members of the public with an interest in doing something practical than reading academic papers.

The literature demonstrates interest in the different law enforcement agencies and organisations and describes what they can and cannot do. Perhaps what is missing is a comprehensive evaluation of the challenges they face as organisations, and that without government support and the will of an educated and aware populace, they will struggle to stem the flow of CH/P destruction and exploitation.

1.8 Conclusion

The literature is constantly expanding and some areas, as demonstrated in this review, have real depth. It is important to note the key authors and researchers that have written on this subject. Mackenzie, Brodie and Charney have been consistently publishing over the last few decades. The researcher is extremely grateful for their efforts as this as exposed a fascinating world that needs more study and understanding. The current literature on CP crime is predominantly land-focussed and goes some way to describing some of the environmental factors that allow offenders to operate and goes into detail about the importance of CP. What is less clear is what writers think should be done about the problem. There is plenty of information on how organised crime groups operate, why they are interested in the art market, and various theories that support the study of criminality. The gap that needs to be filled is a review

of criminal activities in the maritime domain and methodologies that could be used to combat this.

There are areas that need to be revisited and areas that need proper evaluation. The next steps for this research will look at following; an re-evaluation of the art market, how is value assigned to CP now, what are the processes for conducting underwater archaeology and how does that impact underwater looting, what is the current impact of conflict on CH/P, why is there no clear definition of what CPP is, and finally what are the challenges to law enforcement that stop them doing what they need to do and what are civilians doing to either protect CP themselves, or support law enforcement.

CHAPTER 2: METHODOLOGY

2.1 BACKGROUND

The origins of this project were personal and provided a constant source of motivation (Cassell, 1988). The research was an opportunity to explore heritage at risk, and to analyse threats to CP through the prisms of crime and conflict, and subsequently, this PhD provided the option to tie together the researcher's two previous careers in the military and heritage into a final career in CPP.

The researcher studied for a Batchelors degree in Archaeology, with a focus on Roman Britain and Mediterranean archaeology and while at university he took part in volunteer archaeological digs around the UK, a Roman site in Turkey and a Napoleonic site in the Caribbean. Afterwards he worked as a field archaeologist in south-east England, an archivist in London, presented two experimental archaeology television programmes on BBC 2 in Sussex and France, and volunteered at the National Army Museum in London and the Cheshire Military Museum in Chester. He has also travelled to many parts of the Mediterranean multiple times and visited many of its most famous archaeological sites and galleries.

Although an experienced heritage professional, he also believed he was suited to a career in either the police or military. Consequently, he joined the Royal Naval Reserves (RNR) in 2011. On successful completion of officer training, he joined the Information Warfare Branch, whose purpose is to use information to gain superiority and influence in the operational theatre. To work in this area, one needs to have two skills specifically, 'analysis' and 'cultural understanding'. It is crucial to analyse and understand the environment you intend to operate within; its people, their culture, and why they think and act like they do. With a background in history, heritage and culture this was a natural fit for the researcher. As a Reserve he was able to take on a number of full-time roles and travelled to Europe, the Middle East and Africa learning about the issues affecting some of the countries he visited, the most interesting was the rise of organised crime. The military's relationship with Staffordshire University as a training organisation made him consider another degree. A PhD provided the flexibility to choose a topic and create a body of learning that encompassed so many of the researcher's interests. The subject matter would include organised crime, CP, the Mediterranean, and the maritime domain.

The UK Ministry of Defence's decision at the end of 2017 to set up a unit within the British Army, the CPP Unit (CPPU), demonstrated the opportunities for people with

experience and education to interweave a heritage background with a military career, and bring together aspects of security and heritage (Cocks, 2018). The burgeoning interest globally in culture after major attacks or acts of iconoclasm during recent conflicts in Iraq and Syria, showed the necessity to protect culture and demonstrated to the world that the military and CP were now interlinked. The military are involved in CPP at all stages; on the frontline soldiers may be tasked with the interdiction of looters and thieves, at sea sailors may board and search boats smuggling antiquities, and in the sky, aircrew may photograph sites and track movement of smugglers. As an RNR officer this prompted him to consider how CP trafficking might be enabled by the maritime domain, and what was the military response, if indeed there was one.

Despite travelling to over sixty countries and visiting many of the world's heritage institutions consideration had rarely been given to the background of the works of art and antiquities and how they had ended up on display. Basic investigation proved there could be looting, theft and smuggling. What was evident was, that there was a burgeoning research focus on the military and CP in conflict zones, but not as much on the involvement of crime and organised crime, in the maritime domain. This is evidently detrimental to the protection of CP as it only views half the picture, and organised crime is one of the biggest threats posed to the 21st century world order (Kemp, undated), it crosses borders and oceans and infiltrates all aspects of society.

Such is the extent of criminality now involved in the CP market there has been an abrupt realisation that more must be done. As a member of the UK Armed Forces, the researcher could feasibly be tasked with enforcing the Government's will with regards to the 1954 Hague Convention. Yet, there is a stark lack of analysis in the research conducted by UK military personnel, who would look at the problem as a whole, the actual activities of criminals in the maritime domain, and where the military, criminals and CP might interlink within a warzone or area of conflict, or on the periphery, where arguably the trafficking might take place. Therefore, using the military mindset, this research will examine what happens when artefacts are looted under water or on land and are trafficked (possibly from a warzone) and begin their journey to the market under the control of criminals, predominantly through the maritime domain, thus tying together the researcher's interests, academic qualifications and two careers. This experience ensured that the researcher took on the role of 'participant-observer' (Silverman, 2013) where he engaged with professionals from a similar background.

This research is a major step towards a future career in CPP and risk in the UK or Mediterranean where he can utilise skills and past experiences. He intends to evaluate

and contribute to existing strategies currently in place to reduce the looting and smuggling of CP, to identify effective controls for the trafficking of art and antiquities to marketplaces via the maritime domain, and to understand and explore the nature of European organised crime and how it contributes to the destruction of CP in Europe and around the Mediterranean.

2.2 OVERVIEW OF THE DESIGN

If one is concerned with exploring people's histories and everyday behaviour one may favour qualitative methods (Silverman, 2013). As the researcher wanted to contribute to the knowledge of existing methods to combat CP crime, this research needed to analyse the environment, the risks to CP, identify gaps in present strategies used by both law enforcement and civilian actors and methodologies used for countering illegal activities and CP crime around the Mediterranean, and assess whether these strategies could be improved by presenting a solution framework. Therefore, as this would be a people-centric research project, a qualitative approach was selected based upon requirement.

On completion of the LR various elements were highlighted as lacking in research, or the main research in this area was dated. Three of the largest areas to be under studied were the looting, especially underwater looting, transportation of antiquities whether through smuggling or through legal channels via the sea, and the exploitation of the maritime domain by criminals. Arguably these areas often overlap and a contentious issue was raised: if there are so many countries trying to stop the destruction and sale of their and other nations' heritage, why does it continue to happen, and is it possible to police the maritime domain to the necessary level to prevent CP being looted and smuggled. The assumptions were:

1. There is a disconnect between how motivated individual nations are to combat the trade in antiquities and consequently their work at the tactical level is poorer for it.

2. The maritime domain has appeal because, although it is harder to exploit, it is also harder to protect and thus becomes more of an untapped resource.

3. It is impossible to protect all CP, thus only the mitigation of risk to the destruction, looting, theft, smuggling and privatisation of CP is possible.

4. There has been no overarching appraisal of the situation by a military officer outside of a conflict zone to link together the risks and then the different organisations trying to resolve those risks.

Many efforts have been made to understand the illicit art and antiquities trade by those working in the art world, antiquities experts, academics and law enforcement. Many look at the problem and discuss it, few try to produce practical solutions to fix it. The problem is a practical one; how can CP be protected, as it is very unlikely it can all be saved. The emphasis of the research will be on what is being done and by whom, and how can this be countered. The aim of the thesis then was to discover the answers to one overarching question and three sub-questions:

1. How can CP be protected in the maritime domain in and around the Mediterranean?

a) How many threats and risks are there to CP in the Mediterranean region and what is being done to counter these?

b) To what extent is CP looting and smuggling occurring throughout the Mediterranean and how are these crimes being committed on and beneath the waters?

c) How can underwater looting and CP trafficking be stopped, disrupted, deterred in the future?

To answer these questions, the researcher will use his heritage background and current military employment to analyse the situation. Despite a number of law enforcement agencies and NGOs writing 'toolkits' for dealing with CP damage there is nothing written from the point of view of the military when making an assessment of the situation. Therefore, the backbone of this research will be conducted using the main concepts of the NATO Operational Level Planning Process (UK Government, 2019); a military methodology for completing a mission by analysing it as a problem and developing a number of scenarios that could fix it. Firstly, understand the environment, secondly assess the risks, thirdly assess what resources one has to complete the mission, and finally develop courses of action to achieve the aim. This allows for a natural development from analysis to evaluation to deployment.

2.3 POPULATION/SAMPLE

The researcher selected a mixed method research strategy (Cresswell, 2006). Due to the complexity of the Mediterranean a predominantly qualitive methodology was

deemed the most suitable approach based upon the viewpoint of Mason (2002) who said:

> 'Through qualitative research we can
> explore a wide array of dimensions of the
> social world, including the texture and
> weave of everyday life, the
> understandings, experiences and
> imaginings of our research participants,
> the ways that social processes,
> institutions, discourses or relationships
> work, and the significance of the meanings
> they generate. We can do all of this
> qualitatively by using methodologies that
> celebrate richness, depth, nuance,
> context, multidimensionality and
> complexity rather than being embarrassed
> or inconvenienced by them. Instead of
> editing these elements out in search of the
> general picture or the average, qualitative
> research factors them directly into its
> analyses and explanations.'

The qualitative approach of using semi-structured interviews with open-ended questions in order to establish the interviewees' thoughts on the subject matter would enable granularity in the research. The quantitative approach involved requesting answers to one closed question at the end of the interview; 'what knowledge, skills and experience does one need to be an effective CPP operator?' As all the people interviewed would have relevant real-world experience it would allow a course of action to be developed to protect CP in the future. To achieve the nuance and richness mentioned by Mason the primary source research needed the flexibility of interviews and their broad utility to allow the researcher to gain real-world insights into the daily lives of CPP experts. The process of using expert interviews as a form of research is already established and in the field of criminology Reiner's 1991 book relied on interviewing the majority of British Chief Constables at the time to provide him with insider knowledge and subject matter expertise to enable him to build a realistic and experience-led understanding of the problem. Likewise, in 2015, Bennett produced an ethnographic account of British Prison Managers based on an extensive range of

interviews of people who were actually doing the 'job'. This allowed for an exploration of many of the challenges and tensions in the Prison Service. There is also an important example of CH/P research being conducted via the interview process. Mackenzie's (2007) evaluation of the UK's Dealing in Cultural Objects (Offences) Act 2003, was based upon interviews with five dealers from the most prominent dealerships in London, five 'specialists' with expertise in observing, researching and commenting on the illicit market, three specialist law enforcement representatives, four respondents in senior positions within the UK museum sector, two key actors in the legislative process for the 2003 Act, five respondents in Thailand and thirteen respondents from Egypt. This provided a broad and multi-national appraisal of the problem set, which is exactly what this thesis is intended to do.

The elite stakeholder approach was ideal for this thesis as it involved a huge geographical area and multiple nations and by going to experts it enabled the lived experience of a wide range of occupations to be explored to produce a rounded evaluation of the problem, and as a result, a comprehensive solution. Due to the number of countries within the Mediterranean region it was also important to have multiple nationalities represented, either by national experience or because interviewees have vast experience of a particular country. Subjects might have white collar or blue-collar backgrounds but all would bring a unique viewpoint of the problem that would feed into a comprehensive overview that was set in the present (Silverman, 2013). The interviews, whether conducted online during Covid-19 or face-to-face were conducted on a one-on-one basis to get focussed, uninterrupted answers to the questions, so the interviewees were selected for the amount of experience and knowledge they had and their willingness to engage with the research. Interviewee selection was based upon several important factors:

1. Actual frontline experience; the centre of this research is people rather than theories. An exploration of what is occurring on the ground on both sides of the law, thus the interviewees were divided up into law enforcement (to include any uniformed service) and civilians (which could include anyone from lawyers to charity workers).

2. Academic interests; due to a lack of wider knowledge, a lot of the people responsible for raising awareness of CP crime are academics at universities or NGOs who are lobbying governments and working with militaries and police in a training capacity. Their job titles may not state 'cultural property protection' in the title but many are the established leads in this area.

3. Broader experience; due to the multi-faceted aspects of CP crime there are multiple actors who may come into contact with criminals; of most use in this research are field archaeologists, but also anyone who works in museums, galleries, or auction houses. They may be unaware of this, but they still have a responsibility in combatting CP crime in their assumably civilised environments.

Over thirty interviews were conducted and by using a semi-structured format and open questions it allowed the interviews to flow, but also provided the scope to expand on interesting points brought up by the interviewee (Silverman, 2013). Due to the lack of detail previously laid down in books or journals on maritime crime this was frequently the case. Approximately five questions were written out for each of the three target groups; Group 1 - professionals, Group 2 - law enforcement, and Group 3 -offenders.[10] Though in the end no offenders were approached or interviewed because of Covid-19. It was intended each interview would take roughly an hour to allow prioritisation of lines of questioning. The researcher ensured at the end of every interview every interviewee had the opportunity to talk on a subject that they thought important that might not have been brought up or re-emphasise one of their points from earlier. Of note, before submission of the thesis, all interviews were asked for permission to proceed with their quotes. Potentially due to the fluid nature of the interviews, two interviewees asked for elements of their interview to be redacted from the final draft as their employment situations had changed and some of the views expressed were no longer for wider distribution in their current context. This move was supported by beneficence, the principle of 'do no harm' to individuals and was a basic risk-benefit assessment (Durdella, 2019) which meant the information was removed.

Secondly, a questionnaire template was developed using Google Translate to allow questioning of interviewees who were either extremely busy or did not feel comfortable being interviewed in English to be approached and questioned. The initial questions were in English and then translated into various different languages, including Italian and Greek. Due to concerns over the accuracy of Google Translate with some of the terms, the questionnaire was sent in both English and the language required. All responders replied in English though. Unfortunately, without human interaction, any points of interest raised in the answers by these responders could not be expanded upon unless approached at another time of which two could not spare the time.

Approaching potential interviewees required different tactics. In 2019 the researcher began to build his network specifically within the CPP fraternity and develop wider

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[10] Civilian Expert and Law Enforcement Questions in Annex A

situational awareness by volunteering at two organisations: the Society of Antiquaries in London, and Blue Shield United Kingdom (BSUK), which is the UK national committee of Blue Shield International (BSI). The Society of Antiquaries[11] has a fellowship of some of the most established names in British heritage, archaeology and history and a select few international Fellows. All Fellows are established experts in a particular field of study and the researcher was able to use their networks to get introductions to people of interest. In 2019 he supported the "*Respect and Protect: Fulfilling the obligation to safeguard cultural property in the military context"* conference in London. Speakers attended from Blue Shield, the British Army, the British Museum, Swansea University, Historic England and the Centre for Cultural Property Protection and Peace in Newcastle.

Blue Shield International[12] is a non-governmental, non-profit, international organisation committed to the protection of heritage across the world, this includes museums, monuments, archaeological sites, archives, libraries and audio-visual material, and significant natural areas, as well as intangible heritage. Many countries have national committees including the UK, and all committees have a membership consisting of practitioners in all forms of CPP, including law, conservation and the antiques trade. The researcher was a member of the team that set up their 25th Anniversary Blue Shield and the Military *"What is Cultural Property Protection to you?"* conference in 2022 which allowed a huge amount of networking in the run up to the conference and during it. In 2023, the researcher became a Trustee of UKBS which enabled him to gain a far more strategic appraisal of the issues facing CPP.

The other big networking strategy applied was the attendance on short training courses in relevant subjects linked to CP crime and CPP. This did require a financial outlay but it gave access to three new groups of people; the course leads, the guest lecturers, and the other students attending the course. Although predominantly online because of Covid-19 there were introductory sessions and syndicate sessions which allowed for social interaction.

In 2020, the researcher participated in two courses that brought him into direct contact with CPP practitioners. The first, 'Art & Heritage Crime' was led by the Director of Cultural Heritage Protection & Security at the Victoria and Albert Museum and the former head of the Art and Antiques Squad in the Metropolitan Police and who brought in guest speakers from around Europe to discuss case studies and current strategies in

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[11] Link in Annex B.
[12] Link in Annex B.

place to counter CP crime in the UK and abroad. The second, was the Sotheby's Institute 'Art Crime' course. Covid-19 resulted in the course moving online but the lecturers had diverse employment and experience, and all provided email addresses for making future contact. The researcher also attended two online eLearning courses run by ARCA[13]. ARCA is a research and outreach organisation that works to promote the study and research of art crime and CH protection. The Association seeks to identify emerging and under-examined trends related to this field of study as well as to develop strategies to advocate for the responsible stewardship of collective artistic and archaeological heritage. This helped to develop his international network. He also attended the International Arts and Antiquities Security Forum (IAASF) Conference in northern England in 2023. IAASF[14] is an organisation dedicated to supporting and educating a global audience on the protection of arts, antiquities and CH. This provided an oversight of the physical protection measures that could be used for CPP and also emphasised the importance of good governance for heritage institutions, while allowing for further international networking.

The biggest benefit of these courses and conferences was that they allowed the researcher to meet some interviewees face-to-face or virtually rather than through a cold-call initial email. Being able to discuss one's background and future ambitions was a good ice breaker (Mims, 2020). After meeting people on courses or at conferences the researcher followed it up with an email and LinkedIn invitation, which allowed exploration of their wider network.

When approaching people through email for the first time the approach was altered depending on the subject. The researcher had three emails he could use, his university research email, a private email address, and a military email address. He was conscious that cold-calling with a military email could lead to confusion over whether the interview was optional or not which led him to breakdown the interviewees into groups and approach each differently:

Professionals - To interview professionals who deal with CP and who are involved in the prevention of the theft and smuggling of CP, the sellers of CP through 'legal' avenues and their advocates – for proposing interviews the researcher had the benefit of working for a state organisation, the Royal Navy, and having worked on two BBC television programmes has an online presence that gives him some credence. He

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[13] Link in Annex B.
[14] Link in Annex B.

approached many through LinkedIn as the uniformed services network is reasonably large.

Academics – The researcher benefited in many ways because it is a small pool of academics studying this topic. This meant that many of them already knew other people and once he had established a relationship with one it gave him easier access to others. And finally, and possibly most importantly, as a Member of UK Blue Shield, he regularly met with academics at the quarterly meetings and for other events held around the UK.

Offenders/or those with knowledge of Offenders – To analyse the impact of cultural theft and destruction by organised crime and discover how the legal and illicit worlds collide, collude and collaborate to make CP crime a growing business. Of secondary importance, the chance to explore the desire of criminals to own CP as a method of money laundering, money transfer, or even as a sign of prestige. As might be common with researchers access to offenders was a conundrum, especially as the researcher had to be more careful as a member of the military. Eventually, Covid-19 meant that he did not interview any offenders but he did speak with people that had interacted with offenders themselves.

Victims – It was not intended to interview a large sample of victims of CP crime, but if an interview could fill a gap in the research then it might prove beneficial. Of uppermost importance was the understanding that sensitivity was required. In the end, victims who had experienced crime personally was not an avenue that needed to be explored as a large amount of interviewees had worked on sites that had been looted.

Law Enforcement – This group was of primary importance because the contribution to the response to CP crime was a big component. Approaching as one security agency to another, often one uniformed operator to another, the researcher was able to set up a number of interviews. It was assumed that their viewpoints would also align to some extent with those of the military as the mindset is similar. In addition, current operators in INTERPOL and the Carabinieri, and previous members of the Metropolitan Art and Antiques Squad now work in the heritage sector. It was intended to get some 'coalface' views on the situation, and discuss some of the strengths and weaknesses of what is taking place. There was a need to interview people who were strategic thinkers down to tactical operators on the ground.

2.4 LOCATION

The full impact of Covid-19 will be discussed later, but it did result in the vast majority of interviews being conducted online as they took place during the Covid-19 peak period of 2020 to 2022. However, the location of CP crime and protection discussed in the research meant that visiting some locations in person was important. Europe and the Mediterranean offered a fascinating case study because of the number of nations that inhabit it, with shared histories, bloody and peaceful, and political complexities with its North African and Middle Eastern neighbours, some of which are in conflict results in a constant flow of trade, migration and tourism. For three years in a row the researcher was lucky enough to visit Lebanon with the military and as well as conducting interviews while out there he was exposed first hand to the extent of CP trafficking in this area. This study focusses on the Mediterranean region as a unique collection of countries, at times borderless, with a history of interconnected diplomacy, warfare and trade. The south coast of the Mediterranean features several countries that have recently experienced conflict. This is has resulted in long, uncontrolled borders coupled with mass migration ensuring there are multiple opportunities to smuggle items out of source countries as part of human trafficking or human smuggling rings. Covid-19 and the resulting move to virtual interviews removed some the physical risks but when necessary, this research was conducted in convenient and safe locations. Regardless of location and status of the participant, the maintenance of confidentially was prominent at all times, as was the safety of both the researcher, and the interviewee.

The majority of research to be completed abroad was in Italy, and when staying in Rome, the researcher was accommodated at the British School at Rome. Italy was deemed to be low risk. Any other Mediterranean locations were assessed by the researcher against a simple risk model: risk to the interviewer versus benefit of the interview to the research (Durdella, 2019). If the risk was considered too high, then the interview did not happen. London is important as one of the biggest markets for art and antiquities in the world. Visits were made to Bonhams Auction House to discuss the provenance and security of art and antiquities in London. This was conducted in central London and deemed to be low risk.

British military operators were visited at military establishments. Although this was research carried out by the individual, not on behalf of the UK military, the reasons for choosing these locations was based upon convenience rather than security.

As far as possible most interviews of participants were carried out at the interviewees' places of work. This could include, but was not limited to, offices, museums, galleries,

military bases, archaeological sites, auction houses, maritime assets including ports and ships, and where necessary neutral places such as coffee shops or restaurants as long as they were quiet.

2.5 RESTRICTIONS AND LIMITING CONDITIONS

Relying on the majority of data coming via interviews which had a tendency to become conversations meant that what was said had to be taken in context and as part of a collective narrative (Gubrium and Holstein, 2009). This meant that no writing could begin until all the interviews had been conducted and all the data prepared for analysis.

COVID-19

Covid-19 had the biggest impact on conducting this PhD in the traditional sense as lockdowns were introduced in the UK and several other countries of interest including Italy. There were also restrictions on air travel globally which greatly reduced any possibility of travelling purely to conduct interviews for a PhD. However, in some ways this was beneficial. With the embracing of technology (Skype, Zoom, Teams) it allowed for a large number of interviews to be conducted during lockdown while people were restricted to staying home and many had more available time (barring low bandwidth). Arguably this enabled some interviews to be carried out which might not have been possible if travel was required or an unwillingness due to time constraints brought about by a face-to-face meeting. Therefore, some interviews were conducted regardless of location of both interviewer and interviewee. The procedure for the interview remained the same, everything was recorded with either a dictaphone or a mobile phone and a transcript made as if interviews were conducted face-to-face.

Any intention to still meet face-to-face required thorough planning to ensure everything was Covid appropriate according to the UK Government guidelines. This meant keeping up-to-date with UK Covid-19 rules and if meeting abroad then any local restrictions had to be taken into account.

For the face-to-face interviews, no special facilities or resources were needed to carry out the research, except premises for the interviews (which were mainly the participant's place of work or a venue close to there), recording equipment (researcher-owned dictaphone), and refreshments (paid for by the researcher). Two interviewees who had been hesitant about doing an interview because of their level of English and the fear of not being comfortable to communicate clearly what they wanted to say, meant the interviewer spent more time in the introduction phase to put them at ease

and in all cases once they had relaxed they were extremely keen to talk about their work. In all, the interviewer had 100% agreement that he could contact them again after the interview were completed to confirm correct spellings or clear up any points. When interviewing people virtually some did so from the comfort of their own home and the interviewer conducted all interviews in civilian dress, to help build the sense of it being a conversation rather than a formal interview.

As the pandemic continued and more and more organisations moved to remote working the researcher needed to expand his way of identifying people for interview. To fulfil this requirement he selected the professional online networking site, LinkedIn. He had been a non-committed member for a number of years but added far more relevant information so that potential interviewees could learn his background and professional aspirations. The interviewer developed a six-phase plan:

1. Ascertain who he was connected with through his current network so to proactively start increasing his number of connections.

2. Start approaching people who were working in a similar sector such as the military, university and voluntary organisations with an interest in CPP.

3. As the connections began to grow he was able to review the 'Suggested Contacts' lists and look into second level connections so that he could formulate ideas for future connections.

4. As his network began to grow he initially approached people that worked for larger organisations that may have connections to the military or law enforcement not necessarily UK-related but geographically located in the area of interest or worked in CPP in other parts of the world.

5. Once he had achieved the initial wave he was able to approach individuals and potential connections from private industry as the mutual contacts list was growing.

6. Once the researcher hit the five hundred connections mark he put up a daily post of a relevant news item on to LinkedIn and soon more people began to approach him wanting to connect. What was notable was the amount on non-UK nationals who were interested in the posts.

This is similar but more detailed to how LinkedIn itself recommends networking (Herling, 2022) and was a successful strategy approximately 85% of the time. There were a number of people that did not connect for unknown reasons, but the

researcher's LinkedIn network grew from 375 to over 750 people during the period of interviewee selection[15].

2.6 CHALLENGES TO THIS RESEARCH

There were a number of challenges in completing this research, some of which have been mentioned, but importantly there was also a lot of support to get the project completed. Due to the lack of current research looking into the maritime domain a lot of academics, law enforcement personnel and all the interviewees were willing to support in any way to keep the project moving forward. This enabled the researcher to recognise the challenges in front of him but have a good support network to try and overcome them.

Criminality

The subject matter involved criminality and as such potentially entailed meeting and interviewing people that have been involved in criminal activities on both sides of the law. Any interaction with criminals has issues of confidentially and disclosure (Finch, 2001) and there would potentially be an element of personal risk if encountering ex or current offenders. Therefore, any contact would have to be made through a trusted source or third party, such as a police force. It was not guaranteed that it would be possible to conduct interviews with offenders but if he were to it would have to be considered high risk. As the researcher was an experienced military officer he would apply the same rules to his personal safety for completion of his PhD as he would for a foreign deployment with the military; including dynamic risk assessments on the ground, open source analysis to build an intelligence picture of the environment he was about to enter, and take advice from subject matter experts on the risks associated with the environment he would enter. He would inform his supervisors at Staffordshire University and the Chief of Staff (second-in-command) at his place of work of his intentions, his interviewee, location and timings. It was also intended he would check in with a phone call on completion of the interview. In the end, Covid-19 made this redundant.

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[15] Currently the researcher's network on LinkedIn is over 1175 people in autumn 2023.

The Researcher's Employment

The researcher's employer, the Royal Navy, was aware of his PhD and the nature of his studies and was happy that any ethical considerations will be covered and cleared by Staffordshire University, without internal clearance from the Royal Navy. He was also aware of the Royal Navy's Core Values and Code of Conduct and what might contravene them (RN, 2024). Satisfactory completion of the Staffordshire Ethics Form[16] therefore covered both organisations. However, as he was not representing the RN, or being funded in any way by them, it meant the timing of interviews was based around the practicalities of his employment which required frequent travel and short-notice re-tasking, and impacted freedom to travel to potential interviewees depending on their location. Again, this was mitigated in many ways by Covid-19. However, on two occasions during his PhD registration period the researcher was mobilised by the military for operations.

Language

The interviews were intended to be carried out in English for the most part, but if needed, French, Italian and Arabic were the languages most likely to be required. Although the researcher had a basic knowledge of French, due to the specialised nature of some of the interviews and the technical language requirements he decided that if required he would hire an interpreter and he or she would be paid for by the researcher. Google Translate was used for any written correspondence including emails to interviewees who appeared to not have English as a first language. In some cases the questions were prepared in the language required and sent to the interviewees and they completed them in their own language and Google Translate was again used to translate the responses. It was noted however that Google Translate was not always accurate and sometimes did use certain words interchangeably, like antiquities and antiques for example.

Unknown quantities

There were some limitations with choosing the selected interview methodology which could impact both the interview processes and the veracity of responses to the interviewer's questions:

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[16] See Annex C

1. Due to the nature of criminal activities and the people that conduct these activities there was no guarantee of honest answers from the offenders. This could detrimentally impact the analysis of the data collected.

2. Due to the limited success rate of some law enforcement agencies it was deemed unlikely that they would admit their potential shortcomings as no law enforcement organisation would want to admit to being ineffectual in an area of growing interest.

3. There were varied people from all backgrounds, with all manner of political leanings, and some of them very anti-establishment. Being a member of the UK military could reduce some people's desire to speak to the researcher, either through distrust of the establishment or uncertainty over his motivations.

4. This project was personal, and self-funded by the researcher, but by being a member of the UK military it could appear that it was a project directed by the UK military and thus interviewees may doubt the integrity of the research that may be produced.

5. Victims of violent or CP crime were considered as potential interviewees to bring a different angle to the problem. It was intended that any interviews conducted with victims of CP crime will be conducted in the location of the crime, if possible, to give the researcher an idea of the scenario which would pose another ethical and moral dimension.

2.7 MITIGATING RISK

Although there would be challenges conducting the interviews there would be ways to mitigate some of the problems that occurred. In the unlikely event that an adverse event occurred, such as an interviewee getting upset, they were to be presented with a range of options:

i)   They could end the interview

ii)   They would be reminded of the opportunity to take a break and recommence

iii)   They could decline to answer specific questions

iv)   The researcher would remain calm and walk away if necessary

v)   The researcher would observe their body language to monitor discomfort or sensitivity to themes of questioning

Being a mature student with several academic qualifications and experience from two careers the researcher already had a network to draw upon. Regarding the researcher's personal safety during interviews, especially those with offenders, the researcher informed both his supervisors' and a trusted Royal Navy colleague. All interviews took place in a location agreed by all parties. He was to walk away if the situation became aggressive and not engage with the interviewee. The researcher also completed a Level 3 course in Close Protection Operations (bodyguarding) in 2009 of which, Conflict Management and Resolution, was a primary module. As soon as possible after the incident, the researcher would inform his supervisors of the situation, and if necessary, the police.

Ultimately, all research was conducted within the Staffordshire University Research Ethical Review Policy (2019) to ensure the researcher was aware of his responsibilities, to protect him and his interviewees.

a)   How will research data be stored?

Participants would have access to an information sheet containing everything they need to know about the study before signing the consent form. Consent forms were kept by the researcher, and stored securely in a safe, locked cabinet. Consent forms were to be shredded after PhD has been awarded in order to protect participants' confidentiality and contact details. All interviews were recorded with audio devices until transcribed and then all data would be held electronically until the PhD is awarded. The information was stored on the researcher's personal computer, and an encrypted personal USB stick used solely for the purpose of this research. Once digitised, any hard copies of transcripts were to be shredded. A password-protected computer was only used for thesis.

b)   How was protection given to the subject?

No personal details were to be disclosed at any time or for any reason (Durdella, 2019). During transcription, any identifying details would be removed for the participants' safety. In the case of the Carabinieri, they could not be referred to by name so were referred to either by a pseudonym or as 'an officer in the Carabinieri'. Eventually, every participant was assigned a pseudonym to ensure anonymity and enhance security of the individuals. New names were selected based upon the established-two genders of male and female and country of origin, interviewees were

given an opportunity to object to this is they desired. The use of pseudonyms allowed world experts in their field and those conscious of security-risks to talk freely. This freedom to talk added great value to the thesis as it meant people could speak with openness and express what they saw as the problems and challenges without worrying about it impacting their careers or reputations. Such candour provided clarity and greatly informed Chapters 3 to 6 where an easy or dishonest set of appraisals would have been detrimental to the overall intentions of the thesis[17].

2.8 SAMPLING TECHNIQUE

The methodology for this thesis was based upon practicalities. Using interviews allowed for an interpretative approach which could provide an extensive amount of varied perspectives of the world. This was particularly useful when looking at the impact of transnational organised crime, such as the illegal CP trade, as it is committed on a global scale. The one-on-one nature of the interviews enabled a more in-depth understanding of participants' perceptions, feelings and desires.

Another advantage of using face-to-face interviews, was that the interviewer was able to witness the body language, verbal tone and all-round behaviour of the interviewee, giving the researcher extra information that could be added to the verbal answer of the interviewee on a question (Opdenakker, 2006). These reactions and expressions that a participant made offered a wider understanding of their interpretations of particular topics and how they personally felt about certain topics of the research. Between 30 – 35 interviews were conducted, predominantly in the area of European/Mediterranean law enforcement and the European cultural sector. The emphasis was on quality interviews rather than quantity. All participants fulfilled the criteria of being involved in one of the following groups; elite stakeholders who work to determine and enforce policy, for example, strategy level thinkers, operators, business people, academics working in CPP, and Government employees. All participants for this research had to be of adult age.

All participants had the opportunity to ask questions about the nature of the project and interview questions. Information regarding the details of the research, participant anonymity and methods of data collection (storage and analysis), voluntary participation and the decision to refuse or withdraw.

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[17] As previously mentioned, some material was redacted before submission.

They were approached as follows:

Law Enforcement/Military: Present uniformed contacts. The researcher identified himself as a serving military officer who had served for over eight[18] years in the UK, Europe and the Middle East. The intentions of the study were outlined clearly.

Academics involved in studying/combatting CP theft and destruction: email via university accounts or public forum contact details. Some through present contacts or organisations like Blue Shield or the Cultural Property Trust.

Business: research of auction houses, the top insurers of CP and banks who might store CP were carried out and then email and phone contact was made. Some through present contacts, especially on LinkedIn.

Through contacts with such people, snowballing might occur so some interviewees may be recruited via people that the researcher met or knew who were in contact and involved with others who share a similar interest in CPP (Dudovskiy, undated).

2.9 PROCEDURES

i)   Participants received an introductory letter via email.

ii)   Participants who were interested in taking part in the project then received an information sheet. All information regarding how participants' identities were to be protected throughout the process and where data would be stored and deleted would be covered in the information sheet, consent form and debrief sheet.

iii)   Where possible refreshments would be offered at the start of the interviews (if face-to-face) to reduce fatigue and ease concentration, but care was taken to ensure this was not viewed as a bribe.

iv)   Data was stored on a password protected laptop until the successful completion of the thesis and the award of a PhD in Sociology. Upon the awarding of a PhD all audio recordings and transcripts were destroyed/deleted.

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[18] 11 years by the time the interviews were completed.

2.10 INTERVIEWS

The full interview list[19] included five members of law enforcement, three members of the military, two academics, sixteen archaeologists and seven professionals in the art and antiquities world. Out of the thirty-three people interviewed only two had one role. The majority were double-hatted mainly with NGO involvement or Military Reserves' roles. This breadth of experience was the result of many years working across sectors but everyone had some kind of heritage experience, but no one described themselves as a CPP practitioner. The maturity of the interviewees meant that all were comfortable with the interview process described below, and many had been interviewed before for academic or research projects on heritage topics.

i)   All interviews were to be recorded and transcribed - all participants were offered a pseudonym. All participants were informed that all information would be stored securely whether in hard or soft copy on password protected USBs or laptop, or locked cupboard if in hard copy. Only the researcher and his supervisors would have access to the data, no one else.

ii)   No one would be under the age of 18.

iii)   An interpreter would be offered/provided if needed, paid for by the researcher.

iv)   Participants would be given opportunity throughout to ask questions.

v)   Participants would be offered the opportunity to review answers they had already provided.

vi)   At the end of the interview the participants will be given a moment of reflection.

vii)   Participation in the research project was entirely voluntary and participants had the right to withdraw up to the point of analysis, this was advised during interview. There was not to be any inducement to take part in the study. All participants were to be informed of the intended benefits of the completed thesis for the future.

viii)   Participants would be informed of their right to withdraw from participation of the study (and whether time limits would be established during which a participant could request for their data to be withdrawn from the study).

ix)   Participants reserved the right to withdraw from the study up to the writing up stage (approximately September 2023). This was made clear to all participants

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[19] See Annex D

in the Participant Information Sheet and Consent Form, and re-iterated at the close of the interview.

x)   The interviews did not include anyone belonging to a specialist group or requiring specialist treatment.

xi)   Informed consent was obtained from research participants. Consent was required before the interview is conducted, and a check was made on completion of the interview. An electronic and hard copy was to be kept until the PhD was awarded.

2.11 MATERIALS

Finally, the analysis included a review of law enforcement and military organisations' literature including UK Armed Forces, North Atlantic Treaty Organisation (NATO), the Carabinieri, the Metropolitan Police, INTERPOL, BSI, ICCROM, UNESCO and UNODC. This represented doctrine and best practice as viewed through the eyes of the authorities, not necessarily the reality on the ground. This analysis also proved the effectiveness of this documentation.

2.12 VARIABLES

No one under the age of 18 was to be considered for safeguarding purposes, however anyone of any class, race, and abilities were to be considered if they were leading experts in their field, or offenders or victims of CP crime. It was envisaged that no one interviewed would have any kind of negative mental or physical state. There were mixed genders and a range of ages but no one was asked for an interview who disclosed poor mental or physical health rendering an interview inappropriate.

2.13 STATISTICAL TREATMENT

After the interviews had been transcribed key words and themes were identified. This was done by reviewing each interview and noting the subject of each interviewee quote. Initially this was broken down in environment, risks, response and thoughts for the future. There were, in total, 160,000 words transcribed, so four broad themes allowed the funnelling of information into chapters that were relevant. Once, the same process was begun on the chapters to create sub-chapters it was evident that

separating the 'Response' into law enforcement and civilians was an appropriate path to take to make the amount of information more manageable (Wolcott, 1990). Then followed two rotations of editing to reduce the word count down to the most important themes.

FINDINGS

CHAPTER 3: THE CHALLENGES OF THE ENVIRONMENT

Any evaluation of a problem requires a thorough understanding of the operating environment. The many aspects of the Mediterranean, a tourist hotspot, a marketplace for trade, a scene of human migration, and centre of conflict and crime ensure that the environment is complex. Different communities and nations can have different experiences of what it is to live around the Mediterranean but it is the sea that links them. This chapter will explore how the environment sets the conditions that put CP at risk and unless some of these are recognised and addressed the situation will not improve. Therefore, analysing the importance of CP, the extent to which crime and everyday life are separate or interlinked, and the particular challenges of life at sea, or under it, provides a crucial foundational understanding of the issue of the CP destruction.

As Tomas Lefevre, a museum curator and French military Reservist, states, the environment is hugely important because it dictates where people focus their physical and mental energy. He says that one must consider the environment potentially in terms of wartime and peacetime. During conflict winning is all that matters therefore the focus is on preservation and conservation of life, not CP as a priority. He goes onto say that there cannot be an expectation that people, any people, care about CP, their own or the area in which they are operating. This is a matter of selection; if one only has limited resources, how does one prioritise what is protected. One must add that the ability to stop crimes against CP is greatly diminished and the rise in Internationally Displaced Persons means that those who once cared about their local CP are no longer there to protect it. This fluidity means that the destabilisation of an area results in an open field for criminal activity and opportunistic looting. However, conflict is only one aspect of the environment in the Mediterranean.

This chapter will determine the importance of CP and explore its many forms of value, it will discuss the issues of crime and some of the actors that play a part if forming the environment, and it will review the conditions that enable the destruction of CP. Finally, it will appraise the Mediterranean, the challenges of the sea, and within that an appreciation of underwater archaeology that will demonstrate how complicated and difficult it is to conduct underwater crime.

3.1 WHY DOES CULTURAL PROPERTY MATTER?

In a world where narcotics, weapons and human trafficking dominate the mindset and the media one must consider why, in comparison, does CP matter. In terms of criminality it is a lower level, however, to view CP as purely a criminal issue is too underplay its importance. Fundamentally, at the macro level it is a part of who people are, how they define themselves, their communities and their society. At the micro level there is a difference of opinion that revolves around circumstance. The educated and affluent might assume that everyone should know the value of CP and thus respect it. Piero Pasolini, who works for INTERPOL's Works of Art Unit, says everyone should be responsible for the protection of CP, as it belongs to all humankind. Although a noble opinion it does not necessarily resonate with people in the poorest areas living in the worst circumstances who can see no way out of their predicament. Angela Fourni, an Italian archaeologist, highlights a more conceptual importance. Namely, that CH represents the identity of people and so it is important because it is a source of personal identity, local identity and national identity. Again, a noble outlook, but it relies on the conditions within which people live to be able to appreciate those concepts. Paul Stevens, a British archaeologist, academic and president of an international NGO, states that CP gives individuals and communities a sense of place, a sense of identity, a sense of belonging, and a sense of community coherence and that enables the creation of healthy, peaceful, stable, sustainable communities. This is crucial for peace-building and peacekeeping operations but relies on the communities having a sense of coherence before conflict. According to Saadiq Ghaffari, an Italian-based academic originally from North Africa, CP can be personal to an individual or an individual's family as part of their particular identity, he says:

> 'Simply speaking, if you have an ancient artefact in your house, which you inherited from your father or your grandfather, you will show it to every visitor, or you put it in a place where it will be visible. It is your pride, its continuity through your past in order to continue forward into the future. We need roots into the past, that's what makes us more solid, stable, and stronger as a human being.'

Renata Errani, an Italian underwater archaeologist and dive-centre owner, emphasises how nuanced CP can be from the Italian perspective. She states that people see Italian heritage through the lens of famous masterpieces and well-known historic sites but in her opinion, Italy also has a heritage made up of a lot of very small items and small locations. People will always visit Pompeii but there are a lot of archaeological places that the tourists would visit if that site was improved. This brings up the interesting discussion about financing and whether spending money to improve smaller sites would increase the amount of money-spending tourists visiting[20]. Lefevre states that the French have a particular idea about culture and that culture should 'be broad', suggesting that world culture should be accessible because it is all of interest. It opens up ideas about how the West views culture compared to other geographical areas, the UK for example has always had an idea of culture being a big thing, maybe as the result of ruling a global empire. From experience at school one would be taught about British culture but also how other cultures interweaved or inspired it. Laura Abbott, who works for a civilian organisation dedicated to protecting heritage, also links CP to humanity and civilisation. She says:

> 'We like to say that we're a civilised
> species, but in order to be a civilised
> species, we need to be able to document
> our past. And the material remains of our
> past is how we can interpret who we are,
> who our predecessors were, and where
> they were going and where we're going.
> So I think it's important for the overall
> viewpoint of civilization and society, from a
> humanities study point, to preserve the
> past as best we can. Firstly, out of respect
> for those that came before us, which is
> more of a societal construct perhaps, but
> secondly, in terms of learning more about
> who we as humans are. Archaeology
> allows us to interpret what we see, and not
> just through one set of filters, but through a
> more multi-dimensional mosaic.'

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[20] This will be discussed further in Chapter 4.

Sergio Pasi, an Italian archaeologist specialising in Sicily, argues that understanding our past represents a continuous challenge for the development of our society, that to ignore our past would bring the loss of our identity and our knowledge, therefore protecting our CH is one's duty and obligation, but it should also be a pleasure. This, one should believe, is the link between the heart and mind, the ability to learn about CH through CP but also revel in the enjoyment of that learning and take pleasure in ensuring its protection. Arguably, CP is not just of importance in terms of cultural value but also as a way of learning about one's past to help bring clarity to one's present and future for everyone to learn from, not just archaeologists and historians. CP could matter because it is all things to all people, and important to individuals, communities and societies alike. However, Maureen Knight, an American archaeologist and academic, believes the importance of CH really lies at the local level, rather than the 'Western-UNESCO' way of looking at CH, because local populations need to know who they are at home, not globally. This viewpoint goes against the outlook of the UNESCO/INTERPOL views that emphasise the global importance of CH.

Helen Robinson, a British lawyer and academic, says the emotional connection to CP is really important but she thinks there are differences in how people view CH between tangible and intangible heritage, and even land-based and underwater heritage, and it may be down to the fact that land and tangible heritage is more accessible, but, ultimately quoting the French underwater explorer Jacques Cousteau she said, 'people protect what they love' and she believes that everyone values heritage on some level. That may resonate with a sports fan who reveres the sporting arena, collects the game programmes and old player's shirts but has never been to a museum. CP is complex, and what people find value in is even more complex.

Daro Markovic, a Serbian underwater archaeologist, seeks to break away from seeing CP as just objects. He says that the real question is, what new information can be learnt from objects and only if one can learn from them can they have value. Archaeology is the study of human remains so it is natural that an archaeologist would see it that way, yet many people do not consider these objects as part of anything else, especially not an archaeological context, because in the West most people have only ever seen objects on plinths in museums with a small note alongside dictating the 'context'. Additionally, the buyer at the auction has naturally been taken down an avenue where their experience is solely about the object they purchase, a single entity.

Where one can agree, without doubt, with Pasolini is that if CP is not protected then there will be a huge economic and cultural loss for the world, because CH is

irreplaceable. If the situation continues as it is so much will be lost that will be irretrievable.

3.2 WHO OWNS CULTURAL PROPERTY?

The question of ownership is convoluted. There are many claimants depending on where one is, ranging from national governments to heritage organisations to communities to private individuals. This again ties into Lefevre's thoughts on broad and narrow culture and how accessible it should be. Victor Reynolds, an ex-policeman and current heritage professional, argues that ownership and preservation of CP is held at the national level and as part of national identity, he says of many of the source countries:

> 'It's their heritage, and it's their property in
> a pure sense. If they as a country decide
> that that's what they value, and that's what
> they don't value that is the important thing.
> I think if anything we've definitely learned
> this on our 'Culture in Crisis' missions
> around the world that people value
> different heritage in different ways. If you
> go to Africa, they don't really value
> tangible heritage at all. It's transient, a
> building is something that's lived in, it has
> a purpose, and they want it rebuilt when
> it's fallen down. They don't want it
> preserved or conserved, for them their
> heritage lives in the intangible form, in their
> food, in their song, in their dance, in their
> stories. So who are we to say, 'No, you
> must restore your buildings in this
> particular way'.

However, despite respect for a nation's ideas about the preservation of its heritage, on the subject of restitution Reynolds also sees inherent risk in returning every item of a culture to a particular country. There is, he believes, an element of protection in having a nation's art and antiquities spread around the world:

'I'm not a fan of sending everything back. I think culture should be celebrated around the world. I like the idea that British paintings exist in international galleries and British art can be introduced to people. I think it's safe as well, it's a very basic concept of protecting your assets is that you don't put all your eggs in one basket. So we send everything that's Italian back to Italy but, is it Italian? Is it Italian if it was made in Italy, brought to England as part of the Roman occupation and left here. Regardless, just sending everything back blindly to a country is catastrophically wrong. I heard the claim for years that everything should go back to Egypt. But at one point a very extreme government could get in who issue a dictum that they would destroy all arts with human effigy, which would mean every hieroglyph in existence. Or, straightforwardly, a flood or a natural disaster in that one country could have a catastrophic impact. So I think there's a protection issue there as well.'

As seen in the LR, nationalisation of CP has always been a problem and does raise interesting questions about who is claiming what and for what purpose. Nigeria has long called for the return of the Benin Bronzes, however the most powerful faction within the government who are making these demands are of an ancestry who's tribal predecessors fought against the Benin people. This demonstrates the politicalisation of CP. Markovic, who spent time working in Egypt, sees the inherent problems in the nationalisation of CP and blanket restitution as well:

'There is so much already on display at the Cairo museum in Egypt, they would have to build five more museums to host everything that they have in their store

rooms. So I always asked myself, do those
objects really give a new perspective, a
new story, new information, or are they
just objects we already know everything
about.'

George Reed, a British underwater archaeologist and academic, agrees with this and fears that heritage is just being preserved for heritage's sake, not because of the use it can have for education, the generation of funds, and community engagement. Ownership of CP is for everyone or it has limited value in any sense. Pasi agrees quoting the German philosopher Hans George Gadamer, 'culture is only good that when distributed it increases its value". Broad ownership of CP, or at least access to CP, is crucial to maximise its impact. Therefore, it may not be a question of who owns CP, but in reality, who has access to it. Many enjoy a day-trip to a museum but do not want to own a collection of CP themselves. Pasi continues saying that what should happen more and more is that the educated few work to promote the importance of CH so all may benefit. One might add, at the very least, understand the benefit.

The maritime domain also has its own nuances that produce challenges to claims of ownership, especially in international waters[21]. Abbott references the Getty Bronze case[22] as a prime example of the potential contentiousness of ownership for objects recovered from the sea:

'Italy's had an ongoing love affair with the
Getty Bronze case, which has been heard
in court over and over again, for multiple
reasons. The Getty [Museum] will always
claim that it was fished out of international
waters, it's a Greek statue, how can Italy
even think about claiming it? But one of
the really interesting aspects of that
particular case, and I've studied it a lot,

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[21] Maritime countries essentially control their territorial waters from the shore out to a distance of 12 miles (19.3 km)

[22] The statue which is now referred to as the 'Getty Bronze' was purchased in 1977, nine years after Italy's Court of Cassation ruled that there was no evidence the statue was the property of the country of Italy (mainly concerning the lack of evidence over whether it was discovered in international or Italian waters). The Italian Ministry of Culture has an ongoing legal struggle to coerce the Getty Museum to 'repatriate' the statue to Italy (Pianigiani, 2018).

because I've actually sat in the courtroom in Fano. And heard the lawyers litigate this case is that it's basically irrelevant that it was found at sea, because at that point in time in the 1970s, it was practically impossible to accurately measure distances from the land, because we didn't have the electronics that we have today. And it was a small fishing boat. There were tools and there were methods but the only person testifying to the distance was 14 years old at the time, and did not, yet, understand how to measure nautical distances even with dead reckoning which estimates the ship's position in the sea using the ship's speed, direction of travel and how much time has passed. Likewise, he could not have used Visual Estimation, such as the size of objects on the shoreline or the apparent distance between two points, to estimate distances as even fishing in national waters the boat would at times be out farther than the visible shoreline. His statement is therefore basically just a guess, and at 14 not even an educated one. So if it's not international waters and it's Italian waters, then you could say, the Greek statue being found in what was the part of Italy which encompassed the Greek colonies of Magna Grecia could belong to Italy. When Italy re-litigated the case and demanded its reinstatement to Italy, the ruling was based on the fact that it was brought onto Italian shore by an Italian flagged ship that was required by law to report the find, which it didn't. The ship that fished it out of

the waters was an Italian flagship, it was brought to an Italian shore, and secondarily, because it was not reported then it was illegally exported out of the country. So the whole basis of their particular litigation hinges on the fact that it was brought to shore in Italy. And that's an issue that doesn't come up when you're talking about something that is looted out of the ground of the country itself, it's very specific to a maritime object, who owns it.'

Ownership will always be contentious, and much more easily proven at the individual level where one may have a receipt of sale, than at the national level where claims end up in the same courts as the individuals, but have to prove ownership based upon historical knowledge.

3.3 HOW DOES ONE DEFINE AND APPLY VALUE?

So CP matters, for a variety of reasons but, as raised in the LR, how does one apply value to the vast array of items now. There is the financial value in terms of price which is dictated by supply and demand at the marketplace, the historical value based on what it may be and where it has come from, the educational value in what it can tell people about past societies, and the prestige value that comes with owning something rare and beautifully crafted, whether as an individual or an institution. There is no clear answer, or right or wrong, but the discussion is important. From a personal perspective, as a previous field archaeologist, the argument would swing rotate between what was better to find, high value grave goods perfectly preserved that showed the wealth and artisanal quality of metal workers of the age or the everyday tools and homeware that said more about the society as a whole and how they lived, not just the elite. There was and is no correct answer, and so it is with CP in this context, what is clear though, is that all CP has value.

Lana Smith, who works at one of the UK's best known and respected museums, thinks 'value' is incredibly nuanced. She says there is internal and external value relative to the individual. The internal value comes from within and what an individual likes or feels a connection to. The external value comes from external influences and could include financial wealth from a market economy, this is the concept that one is told

something is expensive therefore one values it more. She goes onto say that no one undervalues their own CH, but governments, for example, can pick and choose what they want to apply value to and thus protect. She uses the examples of Turkey and Lebanon. The Turkish government is partisan and thus allows certain CH to be destroyed, not necessarily through physical destruction but through the withdrawal of government funding for projects that would protect and preserve CH for a different ethnic group that is not aligned to the ruling party. In the case of Lebanon, CH is not considered historically important unless it has been around for over 70 years. Therefore anything contemporary is instantaneously undervalued because it has not reached the longevity of 70 years to become, as decreed by law, historically important. It lacks value by legislation, when evidently this is not the case. However, again, this could be a Western viewpoint. Having visited Beirut several times with the military, they as a society are very much focused on living in the moment, and not thinking too much about what has gone before and what the future may hold. This is a mindset that may clash with Western views about preserving as much as possible.

Errani describes the interactions she has with Italian fishermen who bring up Roman or Greek amphorae in their nets. The fishermen always ask what the value of the pots is. And she has to explain that financially the value is low, because the museums are full of them, as are their storerooms. However, in terms of historical value, the value is very high because every pot could tell the archaeologists something new, and if they do not know about the discovery, that opportunity to learn is lost. Unfortunately, the fishermen want financial value not historical so the inclination to pass on finds to archaeologists is low as a result. Reed has experienced the same but believes the true value comes purely from the historic value. As a diver he has come across numerous wrecks that have been stripped for salvage and the loss of historical learning value far outweighs any economic gain for the salvagers. The salvage of items breaks the link to the maritime past of nations that is more tenuous than the link on land. Markovic sees two sides, firstly, that a lot of CP is visually very attractive and thus desirable, whether they are Greek pots or paintings, they are appealing to a wide range of people with money, and secondly, the cultural value of items that may appeal more to governments and communities. Arguably, the first group will cause more destruction than the second.

Stevens also sees the nuances of applying value to CH/P. He pinpoints the destruction of the Al-Askari Mosque in Iraq in 2006 as a tipping point for destabilisation in the

region. After no attempt in the area by Coalition troops[23] to protect one of the three most holy sites in the world for Shia Muslims, it resulted in a massive increase in sectarian violence which included attacks against coalition troops. These events led to the coalition staying in Iraq for another five years, taking five years' worth of fatalities, five years' worth of casualties, and five more years' worth of bad international publicity. This interesting insight shows that it is hard to value CP in terms of aesthetics of financial value when compared to human loss.

The value of CP as a training tool is made evident by both Basha[24] and Stevens. CP is a high-value tool to resettle people quickly when they return to their homes because you can educate refugees about their heritage and why it matters to maintain their sense of purpose and identity. Stevens states that a community without a memory, and 99% of memory is heritage, becomes a dysfunctional community. Basha, the CEO of a CPP NGO, launched the project 'Syria in Mind', which teaches young Syrian refugees in camps in Lebanon about their history and heritage to help build or maintain that connection to their homeland, to nurture that sense of belonging. In the end CP may have value just by being a symbol of hope and memory for people to align to.

Although different individuals, communities and nations can put different types of value on CP, eventually the loss of historical knowledge will prove the greatest loss. This aspect of value is constantly increasing in worth. Ironically, one could argue that it is both the narrative of a global and shared cultural heritage and a global market economy that connects us all and puts national CH at risk.

3.4 WHAT IS CULTURAL PROPERTY PROTECTION (CPP)

One of the fundamental problems within CPP sector is that there is a lack of clarity about what CPP actually is, this was emphasised in the LR but this section will seek to address that. Chapter 4 will explore the threats and risks to CP and show how varied they can be but CPP is far more than the security of a museum, or safe methods of transport as art is moved around the world. Understanding what CPP is will enhance the desire to conduct it. Pasolini believes that as CP belongs to all humankind, all people should feel connected and thus united in protecting cultural items. Smith argues that to be able to protect CP one first has to establish what the CP is, is it personal, or

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[23] This refers to the US-led coalition of multi-national troops that supported the removal of Saddam Hussein.
[24] Julia Basha is a Lebanese archaeologist and head of a Lebanese NGO.

national or international. Once that evaluation is made then the responsibility for its protection can fall upon the government, or organisation, or institution or individual.

Blue Shield International uses the 1954 Hague Convention to define how to protect CP during conflict, but then there is also criminality, from looting to trafficking, natural disasters such as fire or flood. Additionally, the disconnect between having a law and implementing a law can be unmanageable. Even the opaque world of repatriation could be described as 'protection' but protection conducted after the crime has occurred. Lefevre says it is a case of resources and what resources one has will reflect what kind of protection can be offered. For example, the first step could be to raise awareness by briefing officers and soldiers about the need to protect CP, and the final step could be digging a trench around a Roman temple and having armed personnel in the trench. They are both forms of protection but neither has been defined as the right way to protect CP. A crucial point raised here, and to be covered in Chapter 7, is who has the lead on CPP; the military, law enforcement, NGOs, or archaeologists on the ground who know more about the local risks but lack physical protection measures.

Ghaffari warns of different outlooks, national or regional, that confuse matters. He says one must be cognisant of the division that he describes as the 'Western approach and the Oriental reality.' He says too much strategy and big ideas can come out of the West, regardless of good intentions, which in reality have nothing to do with what is going on on the ground in non-Western countries. Until that division is bridged there cannot be a comprehensive appreciation of what CPP is. Errani argues that protection can be conducted by many types of organisations with different interests including archaeologists, and not just law enforcement. Beatrice Beltramo, an archaeologist from Italy, also says that CPP should start close to home because people are most interested in what is closest to them. This raises the question again of what impact does UNESCO have when it talks about global CH rather than local CH, which people may care about more.

CPP is at best a broad art, not a defined science. It is physical, mental, emotional, local, national, global, immediate, long-term, preventative, proactive, reactive and dependent upon political will. Perhaps it is better it is not clearly defined as those that will conduct it may see that as a tick-box exercise of physical tasks rather than addressing all the elements. Chapter 5 and 6 will look at what law enforcement and civilian actors are doing to protect CP but it is anchored in many ways in physical protection measures and not in a holistic approach that encompasses different attitudes and viewpoint. People may have a broad understanding of what CPP may

look like and that is better than nothing, but it is definitely not enough. Chapter 7 will demonstrate how broad the approach can be.

3.5 WHAT IS THE EXTENT OF THE PROBLEM?

To appreciate the impact of CP destruction one needs to understand the extent of the problem. This is not a new phenomenon, and until recently it was not really viewed as a problem. That has now changed, and consistent reviews of criminal activity by law enforcement agencies proves how widespread CP crime has become. Coupled with continual conflict in parts of the globe, and with the climate change crisis there is nowhere in the world where there is not a negative impact on CH/P.

Pasolini states that crimes against CH include the looting, theft, trafficking and sale of cultural items that constitute an important pillar of a country's history. Furthermore, the illicit trafficking of CP from conflict zones, particularly from the Middle East, has been linked on several occasions to the financing of terrorist activities. This demonstrates how complicated it can be to determine who has responsibility to deal with CH destruction. Beltramo describes the destruction as 'a cultural problem'. She says:

> 'The trafficking of cultural heritage is a
> major crime. And the key to understand it,
> and to solve it, is culture. Because usually,
> people do it because of money. So if you
> solve this issue, then people will stop
> trafficking cultural heritage. So when there
> is a lack of good working conditions, and
> proper education, it's quite normal to
> expect trouble. My country Italy has to
> solve the issue of the mafia, but it's a
> cultural problem, the state can do
> whatever they can, by the law, but you
> have to change the minds of people.'

This could prove to be an insurmountable problem, because one can change behaviours quickly but changing attitudes is far more challenging. If in the first place, there is no real belief that CP crime is wrong or that it matters, then it could be a long struggle to sway the public psyche to condemn it. The idea of a 'cultural problem' will tie into some of the concepts in Chapter 4. Markovic uses the examples of the Balkan

countries, to describe how the problem of destruction of CH/P can be evident at every level of society. He says that many people who disagree with the politics and the development of society in the last four decades refuse to identify themselves with 'newer cultures' that they were brought up in. This is hereditary, for example, some people who were part of Royal Serbian Army during the Second World War, they would never appreciate the CH which was developed by communism afterwards, or vice versa. If culture is embedded within society, as much as it may be manifested in CP, the intangible culture can be untouchable within people's psyche.

There is also a growing problem. The classic way to determine the chain for CP crime is to identify the source countries (where the material comes from, the transit countries (where the material has to travel through) and finally the market countries (where the material is sold). Originally, the source countries were many and the market countries were few, despite growth in areas like Japan and China. However, Ghaffari now argues that due to changing economic strength, some countries that were one source or transit countries are now market countries. He singles out the Gulf region as a growing centre for the sale of antiquities when once it was a transit area for antiquities travelling from North Africa to East Asia or Australia. These oil-rich, cash-rich states are now looking to build new museums and private collections creating an insatiable thirst for material which was not there before. This is a fundamental problem, the source countries have remained the same but the market countries have increased therefore demand outweighs supply. Legal means of sale and purchase may not be enough to sate the demand.

It is the narrow mindsets of some that mean huge amounts of CH is at risk continuously. It is a massive problem to solve, and a problem that will not go away, thus, planning must be conducted to mitigate risks with the understanding that once these plans are enacted, they will be enduring. That is how big the problem is.

3.6 HOW IS IT INTERLINKED WITH OTHER CRIMINAL ACTIVITIES?

Despite the argument that CP crime is as important as any other type of crime it cannot be viewed in isolation and more importantly, it should not be viewed in isolation. It has already been referenced that it is considered a major financial earner for criminals, terrorists and businesses, but it must be understood within the fabric of criminal activity. Even if the actors only differ or overlap at certain times, it is criminal activity that must be combatted. The military place CPP under the banner of Human Security (HS), which also includes combatting trafficking in human beings, protection of children in armed

conflict, preventing and responding to conflict-related sexual violence, and protection of civilians. This emphasises what a serious combination of factors HS is. The LR revealed that in many ways CP crime is marginalised compared to guns, people, and narcotics but the military, especially NATO, have included CPP in a group of multi-sector approaches that demonstrate how important CP is to individuals and communities. NATO adopted this way of thinking at the Madrid Summit in 2022 emphasising that NATO (2023) will be 'people-centred'. From the LR it would appear that law enforcement do not place the same importance on CPP because it is not as bad as other activities, rather than seeing it as a comprehensive problem, enabled by Organised Crime or crime gangs that are organised.

Paul Carter, an American underwater archaeologist and academic with extensive Mediterranean archaeology experience, says there is evidence of human trafficking and cultural trafficking being interlinked. Janet Marczak, an expert in human trafficking, sees a lot of ways in which the crimes have the same modus operandi. She describes it as such:

> 'Human trafficking [can] take place very
> locally. So you can have somebody
> trafficked from Manchester to Liverpool or
> within Manchester itself. So it doesn't
> always involve transnational travel. So
> there is no set model. It's a three-stage
> process. Firstly, recruitment or selection.
> Secondly, transportation and/or
> harbouring, and thirdly, exploitation.'

Similar aspects are evident in the movement of objects, no distinct pattern or model, and ultimately, whether people or artefacts, they are all being exploited for profit. Where there are vulnerable people there will be a willingness to survive which overpowers everything. If one accepts that human trafficking is against the will of the individual, and human smuggling is a result of a payment to help people cross borders then it would be sensible to assume that people desperate to change their circumstances could be exploited to the detriment of CP. Marczak sees links to migration and CP crime. She says:

> 'Something that might start off as a
> smuggling transaction, somebody from
> Syria or Afghanistan saying, 'can you bring

me to Europe, I'll pay you', so they're expecting a service, but somewhere along the way, that relationship can change from a business transaction to exploitation. And that's very often the case in the Mediterranean, obviously it's one of the biggest routes for the transport of people, particularly from Northern Africa into Europe. And, there can be work involving getting people to engage with cultural property crime, including the theft or the stealing or any kind of crimes committed against [CP]. In the same way that people that are in conflict zones are being forced to work in mines within Congo, they can equally be forced to commit crimes against cultural property.'

She goes onto to argue that a borderless EU means that people and items can be smuggled or trafficked over thousands of miles in lorries without a single border check. Additionally, it ties into claims, as Smith iterates, that customs officials have opened shipping containers and found weapons, narcotics, ivory and CP all in the same container because the same people are conducting all the crimes and transporting their materials simultaneously. As long as there are commodities to be exploited then criminals will be involved.

Elisa Parra, a Spanish archaeologist and NGO-member, believes there are links between those conducting maritime CP crime and piracy and potentially maritime terrorists. All these factions believe they can make money from underwater CP or exploit the politicalisation of some shipwrecks to support their messaging that a government or organisation may be in the wrong. Thus CP crime can easily be included with multitude of other crimes because source countries are traditionally material rich and financially poor. The maritime domain is then both a deterrent because far less people have access to a boat or ship, but also an enabler because the sea is far less controlled as an environment and far more complex because one can sail from one end of the Mediterranean to the other (and beyond) and never be stopped, and attempt entry into any country, whether as a terrorist, pirate or CP trafficker, at multiple points providing one can get close to shore. In the end, the most

vulnerable people will always be exploited first because it is easier, which means that some terrorists, pirates and criminals may have no political agenda but rely upon the sea for a living and can be exploited by those wishing to use the sea.

3.6.1 Transport

When considering the links between criminal activities one has to consider transport of goods because this is where so many worlds can collide. This thesis is focused on the maritime domain and so it prioritises transport via the sea.

Olek Spatas, a Greek policeman, mentions the port of Patra in Greece which is a problem because it is a huge port that connects Greece with Italy and there are so many people travelling by ship that it is extremely difficult for the port police to conduct proactive searches on cars. Ghaffari says shipping is ideal for bigger objects and with less control it is probably less likely to be discovered. Therefore, the time delay is worth it. Bigger objects being moved by plane or land are more likely to be checked. He also says that now some traffickers use the Sahara to move stuff from Libya to Egypt to then use the port to ship to the Gulf Region. Simon Harrison, a British archaeologist and academic, says a lot of CP at the lower level is simply posted or shipped because it is small, light and inconspicuous, and 95% of shipping containers are never checked entering or leaving European ports. If one allows items to be repatriated the police will be happy because it is hard to prosecute and it is just a cost of doing business. Ellis agrees saying hand carrying is a major method. Knight knows in the US only 10% on containers entering the country are checked and what they are looking for is human trafficking, guns, drugs, they are not interested in finding antiquities, even if they all travel in the same circles. So there needs to be more effective training and protocols for what people should do in law enforcement and border agencies, when they find antiquities. People in these organisations need to know who to call who can assist. Tara Omari, an art market transportation specialist, confirms that the preferred modus operandi for legal art shipments remains land and air, and preferably air because it is relatively quick and simple. However, she goes on to say that due to the fragile nature of art it has to be packed in certain ways using certain materials, and so, even if not using a ship to transport, flying over a large body of water like the Mediterranean would have an impact on planning.

It is the lack of control that opens up opportunities for criminals to exploit the situation. It suggests that potentially the same criminals are conducting the smuggling and as long as they receive a fee they will smuggle whatever is required. In terms of

practicality, it is better to fill a container with illegal items from a number of criminals or criminal organisations than to have empty space. Therefore, there is no direct evidence that the criminals are the same, only that the smugglers may be.

3.7 WHEN IS IT A CRIME AND WHEN IS IT A WAY OF LIFE?

It is important to acknowledge that the West can have differing views to other countries and those must be taken into account. The West tends to have an all-encompassing approach to CP in which as much as possible must be preserved. However, this concept is too narrow to be applied across the whole of the Mediterranean. During one visit by the researcher to Beirut, there was civil unrest and clashes between the police and protestors over the lack of jobs and opportunities in the city. During this period it was reported that protestors had run out of projectiles to throw at the police so had broken up the Roman baths that were in the centre of the city[25]. Irreparable damage was caused to what had previously been described as one of central Beirut's go-to tourist sites. However, this was not a direct crime against CP, but a result of frustration and pragmatism. Identifying when a crime has been committed is a key requirement when studying CP at risk.

Reed describes how so many people can be conducting normal life activities, whether that is a tourist finding a coin, a farmer ploughing over an archaeological site in order to maximise his crops, a developer putting up a tower block somewhere he should not, a diver recovering an object, or whether it is a fisherman out at sea destroying CP with his net, the sheer scale is almost overwhelming. All these activities are part of daily life and cannot be viewed as criminal activity and yet these activities will have a far greater impact on CP then any purely criminal activity.

When talking about his time in the UK's Art and Antiques Squad, Reynolds emphasised how changing attitudes impacted police work. For example, if someone stole a vintage silver cigar case, was it theft or a heritage crime. He also references the theft of lead from church roofs saying that it probably is a heritage crime but someone else may just consider it theft. In reality, with regards to police work, whatever will guarantee a conviction is the most likely course to take. Smith also argues that the motivations for conducting the activity may differ, it must be understood if it is solely to make money, if it is targeting CP but still wanting to make financial gain, or is the simple destruction of CP. Understanding these motivations could indicate what type of crime it is but the

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[25] These were part of an open-air site with free access.

main driver should be to attain a successful conviction. If criminals, are not convicted and punished then they will not understand the severity of CH crime.

Another problem is the identification of the removal of CP as a crime. Both Smith and Errani argue that what is viewed as crime now was not viewed as crime 50 or 100 years ago. Therefore, is the CP a victim of crime, or legally and morally entitled to be in another country to that of its origin. It is well documented how both Napoleon and Hitler oversaw the removal of CP from conquered nations and it was rarely viewed as a catastrophe in comparison to what else was occurring. Chapter 4 will discuss subsistence looting which has a massive impact on the safekeep of CP.

3.8 WHAT IT THE ROLE OF MUSEUMS AND AUCTION HOUSES

Few people expect the shutdown of museums or auction houses to happen but the scrutiny they currently find themselves under is immense. Museums, once seen as the saviour of antiquities and the only way to display them to an interested public received broad criticism for how they built their collections, by contradiction, auction houses have always been seen as the preserve of the elite and an opaque world shut off behind closed doors. Potentially, private ownership could be viewed as a method to spread the cost of care for some CP and reduce the need for so much public funding. However, museums and auction houses are part of the discussion and will continue to be so. Understanding their current role will demonstrate how they fit in to the 21st century. Fear of reputational damage has become a big part of strategic thinking for many of these institutions and this has enabled better business practices, but whether these institutions are open to real change is debatable.

3.8.1 Museums

Through personal experience, in 2011, museums were beginning to demonstrate concern as to the provenance of some of their pieces. It is a well-known fact that what museums display is usually a small part of their collection. However, what remains in storage still needs to be cared for. The researcher was involved in provenance research in the National Army Museum in London as the museum sought to reduce its collection but could not sell or gift items without provenance. Potentially hundreds of items were noted as 'gifted'. This is an innocuous example as many ex-British Servicemen had donated their memorabilia but it demonstrates how poorly records were kept. Recent trouble at the BM in London demonstrated the problems of an

unrecorded collection (Glynn, 2023). However, embarrassment like this drives the adoption of good behaviours.

Beltramo says in her experience working at some of the most important European museums is that they often do not want to comment on the provenance of items in their collections and rarely give an explanation as to why they do not want to comment. She believes that the lack of an explanation is because many museums do not have good records of where their antiquities came from, or by what means. This lack of transparency is concerning and implies guilt. However, to be able to move on one would expect a degree of acceptance of guilt and a clear way forward to ensure this does not happen in the future. This will hopefully be the big change in museum policy going forward.

Markovic mentions private museums, of which he has been invited to many in the Middle East, and says that these do not attract particularly famous or expensive art and antiquities because the owners would not be able to show off their possessions. However, a lot of wealthy people will hold art as a way to move wealth around and these collections can be worth millions of dollars (Vlasiuk, 2023). In the 21st century it is perhaps private collections more than museums that pose a threat to CP.

3.8.2 Auction Houses

The market should be viewed as a risk to CP and also a vital part of the ecosystem. The lack of regulation has been well documented in the LR but Carter says it should never be illegal to own antiquities, only the sale and purchase of them on the black market should be illegal and these days it is hard to claim ignorance as a dealer. Beltramo emphasises the knowledge of Italian dealers describing them as 'experts in their fields' but people who take advantage of that lack of market regulation. An unregulated market has produced a lot of income. Reynolds states that market countries like the UK make billions of pounds a year by selling other people's CH and the UK is without doubt, a marquee country, and not a big source country. This affects how laws are formed. Italy or Greece have many laws that in equal proportion seek to protect CP and protect the market, whereas in the UK, the laws will seek to protect the revenue secured by an open market. This indicates the strength of the market when lobbying the government compared to the heritage sector. Reynolds argues though, that all people need to be part of the discussion to find a resolution to illicit antiquities entering the market place. Dealers who have millions of pounds invested in the

markets will not simply handover their stock because they are expected to, thus preventing the entry of illicit items into the market place is a key step.

Robert Eales, an ex-policeman and former member of the Metropolitan Art and Antiques Squad, sees London as an important market, and recognises the growth rate of Gulf region markets, but believes the key market is New York. Partly due to the significant sums paid by US buyers but also because of the dealer Fred Schultz who helped draft the US Cultural Property Law. This law allows a wealthy person to buy a piece of art, licit or not, and bequeath it to a cultural institution. This ensures a tax kickback which means that even the purchase of an illicit item will result in payment. And if you look at UNESCO and UNDROIT agreements, dealers acting in a bonafide way are eligible for compensation if it turns out that they were 'duped'. So the market is exploiting the looter who is paid pennies in comparison to dealer who sells it at the end of the chain. For some this means ending the trade in antiquities, but Reynolds suggests the only way to impact the market is to target it like people did the fur trade and make it a repugnant entity to be associated with if the items on sale are illicit. Here Eales agrees, if the profits fall for whatever reason, then the market will have to adapt.

Chris Towers, who has had a career working in auction houses in London, discusses some of the finer points about the auction world. He says that academic qualifications are not enough to be successful, you need to appreciate and be interested in the items, and although the big auction houses are in competition, the market, especially during Covid-19, remained strong. What he has witnessed though is the growth of compliance departments within auction houses, mainly formed of lawyers, whose sole task is to check the veracity of the provenance of items on sale. He believes this aspect and the fear of reputational damage is already changing attitudes within houses. Now, items like a statue of Venus would not be able to leave Italy without some form of provenance, and a buyer is less inclined to buy if they think they will not be able to sell it down the line. It would seem market forces and a bad reputation are doing more to regulate the market than any legislation. Fiona Russell, a lawyer specialising in art and antiquities law, thinks that part of the problem for auction houses is image. She says the New York and the London antiques and antiquities trade, and the art market generally, operate on confidentiality and is still seen as an elite class that is very secretive. That is part of the appeal in many ways to buyers, but with high value transactions and the types of people that that are involved and it makes people outside the market suspicious and concerned over the reasons for that confidentiality. Similar to Reynolds, she suggests that better engagement between the dealers and the heritage community could result in a better working relationship and a better public

image. It would also allow the heritage community to take advantage of the in-depth knowledge of the London dealers, like Beltramo said about the Italian dealers.

Describing the market in Lebanon, Basha says it is a very well-developed sector, because of the difference between the trade in antiquities and the trade in drugs, or humans or guns, is that trading in antiquities is not shameful. The general public in Lebanon do not condemn people for buying antiquities because it can cause no harm compared to the others, if one buys a sarcophagus one does not sleep in it, if one buys a Roman glass one does not drink out of it, one simply looks at them and this is viewed as harmless. She also suggests that government officials will make money from the sale of antiquities because compared to weapons or humans or drugs it is not shameful. Basha even claims that nobody will stand up against the dealers, not even UNESCO. UNESCO will conduct capacity building and awareness-raising through training in Lebanon but will not be able to stop corrupt practices.

Carter discusses the unregulated individual markets of sites like eBay that even have lots advertised that have not had the soil cleaned off them since they were looted. This suggests that the people buying these items are not even looking for provenance only authenticity. Reed, whose work entails monitoring eBay for the sales of maritime objects has noticed how a coin maybe worth £1 if found on land, but £10 if described as found in a shipwreck or on the seabed because the maritime aspect adds a cachet to it. At the other end of the scale Markovic says that on the ground level black market, items will sell for nothing because people want to get rid of incriminating CP as quickly as possible. This naturally drives looting because one has to replace one's stock.

Harrison sees the marketplace as 'problematic' because it is no longer centred on auction houses but on the internet as well. This has massively increased the amount of buyers, and although there are collectors looking for particular cultures, Roman or Egyptian for example, there are now a lot of people without a background in collecting that are looking for the prestige of owning a collection without knowing how to acquire one. He goes on to say that the marketplace itself can create trends that drive short-term fashionable items. He also references the new markets in the Gulf but thinks that a level of blame is apportioned to them that is unfair, indicating that it may be easier to get illicit artefacts to markets in that region but no one has yet attempted to stop them getting to marketplaces in the West. Ghaffari and Carter[26] also see this market growth in the Gulf as a result of people with money but wanting to prove they are cultured.

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[26] Carter also mentions Japan as massive growth market.

Therefore, they will have a shopping list of what they believe a cultured person should have; a book collection, Roman antiquities, a couple of paintings by Old Masters.

Omari mentions the rise of the Russian oligarch, and their need to be seen as cultured resulting in an unquenchable thirst for art and antiquities, not just for their homes, but also for their superyachts, which meant that each individual was buying twice as many pieces of art and twice as many antiquities. The marketplace will be in competition to sate this demand as they try to make money. Carter references the fact that CP is an excellent way to store wealth and move it around the world. If one is working quickly it may be easier to move a few very expensive pieces of art than a lot of smaller, more medium-priced items. This indicates that art businesses are not necessarily thinking in terms of five or ten year plans to ensure continual growth but sudden unthinking reactions to meet demand quickly and that is not conducive for a transparent, ethical market place. Russell feels that buyers of expensive CP are usually educated enough to know whether it is a good investment, and would not spend money on anything that was not in great condition. This suggests a different attitude to buying compared to a Russian oligarch for example. However, she also feels that those with a background of buying antiquities and those who may have inherited collections might see them as the norm and not necessarily as standout objects that require a discussion.

Omari also points to the burgeoning contemporary art market's volatility as something that can drive demand quickly meaning that dealers are constantly looking for items to sell and not always conducting the appropriate amount of due diligence on an item's provenance. She also says that, whereas the world of the Old Masters is based upon authentication, the knowledge is not necessarily there yet when it comes to newer, younger artists and their work. This is an enabler for criminal activity. At the same time, the limited amount of Old Masters paintings in circulation mean that sales are less regular so income generation is more spread out. Talking about her experience at TEFAF[27] in 2020 Abbott describes how buyers were not even asking for provenance just the price.

Israel is another interesting example of the issues with the market place. Beltramo, who spent a year living in the Old City of Jerusalem describes how it is one of the biggest markets in the world and buying antiquities is not illegal, but the export of the antiquities is. It is documented that biblical artefacts garner far more interest from the Israeli authorities but ancient antiquities still end up in markets like London. Carter talks about

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[27] Established in 1988, The European Fine Art Foundation (TEFAF) is widely regarded as the world's preeminent organization for fine art, antiques, and design.

the Israeli National Police finding a group of Israeli dealers who were buying looted materials from local looters, sending it from Israel to London, selling it to London antiquities dealers then buying them directly back from them, then sending them back to Israel. Then they could legally be sold in Israel because they're coming from the UK. Knight also believes there is no emphasis on any particular type of antiquity in Israel, it is all about trends and what is 'in fashion'.

People will find a way to make money and a market needs to be active, not just big, to thrive. Ultimately, as long as demand outstrips supply, and without a regulated market, illegal activity will take place. As Harrison pointed out, in the UK, a pack of eggs in a supermarket will need more regulation to be sold than some art or antiquities for sale in an auction.

3.9 WHAT CONDITIONS ENABLE THE DESTRUCTION OF CP

Perhaps the biggest separation in thought in the Mediterranean region between those countries along the north coast and those along the south is the state the countries are in. Despite the best intentions and desires for the protection of CP, there are places in the world where survival is first and foremost on people's minds. The conditions in an area can set the tone for what people's mindsets are, and subsequently their actions.

3.9.1 Poverty

The high-value markets where antiquities end up selling for huge amounts of money can be harsh step away from the reality of where the items are looted. Fourni describes how at her first archaeological dig local inhabitants were trying to sell the archaeologists artefacts they had recently dug up just to get money to eat. They even believed the archaeologist would be happy to see them bring the artefacts to them. Beltramo thinks that the trafficking of CH has something in common with a terrorism, that being that the people involved do not have a future, or do not believe they do. Poverty is a key problem in all countries because it removes social mobility. If people feel trapped by their circumstance, they will do what they have to move up or away. Abbott also thinks poverty can be an underlying factor. She says some of the looters are just trying to subsist off what they can, and you cannot secure against that because you lock down one site, they will find another because they have that mindset to survive. People have to have alternatives to the path they are on.

3.9.2 Instability

Understanding the differences in an environment during conflict and when relatively stable is very important to understand how the damage to CP can be exacerbated. The frameworks one has in place during peacetime may also not be suitable for protecting CP during conflict. The attitudes and behaviours of people who live in or nearby archaeological sites can differ massively if the difference between looting a site and not looting a site is the life or death of their families. Instability has mental, emotional and physical impacts and creates cognitive dissonance.

Markovic, when talking about the Egyptian revolution, says that while the country was on state alert the storerooms started getting overloaded with material that could not be disposed of, either to museums or buyers. He was taken to a basement in Alexandria where the proprietor had so much CP he did not know what to do with it. The conflict had enabled the environment to allow crime because the normal day-to-day activities of life had stopped. Insecure and unstable countries breed a kind of desperation. Reynolds thinks most communities are vulnerable in times of conflict and hardship, because whatever they think of their heritage, they are willing to sell it to survive and to feed their children. Abbott talks about the relocation of many Jews from Yemen and Iraq to Israel and how they took with them huge amounts of Judaica, firstly because it was important to them, and secondly because they may need to sell it when they arrived for funds. This could be viewed as CP trafficking or justified removal of CH during a period of instability, but the result is the same. Stevens tells an anecdote from Iraq:

> 'In 2003, I pleaded with DFID, to buy the agricultural produce in the British area of responsibility, because it had been the farmers that brought in their crops, and they were sitting on the side of the road, and it was rotting. And my argument was, if you don't buy those, whether or not anybody eats any of it, that is the only income that those farmers have, other than turning to a different crop, which means digging deeper into their fields and going for antiquities. And they will do that because they need income to feed their

families. So 'DFID, please buy this stuff, or you'll damage the whole situation', but, I was doing that in the wrong way, because I was emphasising the importance of the below ground archaeology, whereas what I should have been saying was, 'if you completely break the connection between the main market, in this case the regime, and the locals[28] then you will destabilise the situation, and you will get criminal activity, which will result in unstable communities, and therefore an unstable society. So nip that opportunity in the bud by paying peanuts for these olives but you'll stop the whole thing collapsing', to which they replied 'no, nothing to do with us at all. We don't buy stuff like that, antiquities in the ground, no, nothing to do with DFID'.'

This disconnect in thought processes demonstrates how everything is interlinked, especially during a period of instability, and there is a domino-effect once changes are made to fragile regimes. Twenty years on, the military and government take a more holistic view to operations, probably learnt after mistakes made in Iraq and Afghanistan.

3.9.3 Ignorance

Ignorance may be no excuse but in an age a mass tourism and cheap travel CP has been put at risk by people with no intent to harm it but who do not know any better. Markovic says he can no longer judge people because it is the habit of human beings to take something that they find attractive if there are no perceived consequences, especially at underwater sites. However, they are still doing damage. Reed tells an anecdote of the SS Castor which was a shipwreck off the English coast that was discovered by a diver who found some unique finds. Later that evening he mentioned it

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[28] The farmers sold to the regime, and then the regimes distributed the food to the people.

to some friends in the pub and said he was going to go back in a week. Which he did, and the wreck had been stripped. Subsequently there were reports of a commercial diving vessel that had gone out to operate in that area, after that night in the pub. When underwater archaeologists got to the site they found much had been taken, confirmed by their discovery of a ship's inventory. All this highlighted how quickly certain parties could react to situations, and how throwaway comments could have lasting impact on CP. Ignorance is also witnessed in the change of opinions espoused by Smith where people did what they did because it was the norm of the time. Errani also comments that times have changed and what was once acceptable is no longer, but the emphasis should be on fixing issues now not blaming people from before. Harrison relates a case from a few years ago where one country's police found 'serious criminals' with cultural objects and they did not know who to ask what they were, so they asked another law enforcement agency, who did not know either. So they asked Harrison who promptly put them in touch with some experts. However, they did not follow up the case, because they were prosecuting these people for more serious offences and thought it was a waste of time to prosecute them for trafficking as well, which Harrison found frustrating, because it meant that the intelligence on the trafficking network was lost.

3.9.4 Lawlessness

Lawlessness in this case refers to the breakdown of the rule of law, not the breaking of the law. The risks are more acute because if one cannot rely on the rule of law, the law cannot exist. Harrison has a personal example of the lack of governance and how it affected him, he says:

> 'When I was on fieldwork, I was being surveilled and my work was disrupted by the police, in ways that would have knock-on consequences for my ability to find work, and I was threatened by extremists. [Then], after I finished my PhD, I couldn't get a job because none of the places that had related jobs would employ someone who said politically-unacceptable things.'

It would be near impossible for people at the local level to stop the looting and trafficking of CP if the very structures that should be protecting it are also abusing it. Lawlessness can lead to isolation and vulnerability of those in areas where they cannot

rely on state functions to operate appropriately. Robert Collins, a British heritage professional and military Reservist, also says that a lack of law and order in an area will lead to a rise in trafficking and trade of illicit antiquities. The difference being that although other items will also be at risk, CP will have global sale value, whereas cars, food or clothes in the lawless area will only be sold on to other people in that area. Markovic attributes any vacuum of authority as a catalyst for bad behaviours, whether it be the looting and trafficking of CP because there is no police presence, so something as simple as a person building a house on a historical site because there are no government controls. It all ensures damage will be done because a person knows they can get away with it.

3.9.5 Disillusionment - Disconnect between the capitals and the provinces

The separation between the centre and the provinces cannot be easily fixed in many countries. Western Europe may have a different view to the US even, that has federal and state laws. Europe tends to think of government dictating the law, and local government running services. The more remote a place the less likely they are to feel a connection to their capital. For many years Sicily felt disconnected to Rome and this enabled the growth of the mafia. However, along the southern Mediterranean, where communities are still based around tribal structures and governments can be formed of factions rather than a cross-section of society disillusionment is a real concern. Focussing on North Africa, Markovic says there are people who might feel hurt with the decisions of their nations, countries, politicians, which have caused them a hard life or caused some kind of unhappiness and these people are abandoning their identity and looking for a new one. This results in disengagement with their own CH, and a lack of respect for it. Potentially, this step to redefining who they are could result in an openness to global CH, but they would still need some method to access it. Any plan to protect CP must take into account this important factor, because if a plan is implemented it must be achievable and representative of the whole population.

3.10 WHAT ARE THE CHALLENGES OF THE SEA

As 71% of the world's surface is covered by water (USGS, 2019) it has long been a medium for trade that was at times quicker and cheaper than transport by land, but always vulnerable to the weather and piracy. The sea is one of the toughest

environments on earth to survive in and thus presents challenges both to those that would protect CP and those that seek to exploit it.

Robinson points out a number of issues for protecting CP in the underwater environment, firstly underwater archaeology is cost prohibitive compared to field archaeology on land[29]. The extra equipment and resource required means that far less activity can be conducted. Secondly, archaeology on land can come about by the fortunate discovery of a site or CP by a vast array of people, whereas this is highly unlikely at sea. And thirdly, and possibly most importantly she recognises that there are different approaches taken with regards to land and sea especially in terms of legalities. So far there is no integrated management therefore, no integrated approach. The result is that underwater CP is grouped together under marine laws that are either very narrow in scope or too broad to have real utility[30]. Smith also sees this lack management as a prime enabler for the loss of CP. Often the legal framework is the starting point for CPP and if that can be exploited it undermines any efforts by law enforcement.

Collins comments on his Royal Navy experience saying that firstly diving is a dangerous and challenging activity but ultimately the challenge most associated with the sea is its size. He says one can be sitting in your frigate[31] horizon-scanning up to eleven miles but that is nothing, there could be 'two salvage boats, pulling up condenser manifolds from HMS Hampshire, just over the horizon and one would not know that'. And even if other people at sea did, they would not care because they are busy moving oil or steel or containers. They do not feel the need to pass on that information and to whom would they pass that information.

Omari says the risks of the sea for transporting art is just too high. There are a number of factors to this; shipping can take a long time, there are more risks at sea in terms of natural degrading such as salt air or flooding, and if a crime is intended, there is ample opportunity while the artwork is going through customs at either end of the voyage. The main problem she goes on to say is that too many people do not consider how CP moves around the world, they see it in one country, and then see it appear in another, but without consideration of how it was transported and the challenges that presents. However, the final word goes to Errani, who says the challenges of the sea can also benefit CPP because it is vast, deep and dangerous.

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[29] Reed estimates it costs £100,000 a week to run an underwater archaeological excavation.
[30] She includes the 2001 UNESCO Convention in this.
[31] A frigate is a medium-sized warship.

The sea does offer opportunities as well as the people that have livelihoods dependent on the sea are far fewer than on land. This means in terms of intelligence gathering it is much easier to know who to speak to at the local level, and in relation to identifying patterns of life, it is much easier to establish an intelligence picture than in a congested, urbanised area of land. Anything that does not seem normal is worthy of further investigation.

3.11 THE MEDITERRANEAN; A CASE STUDY

The Mediterranean makes an interesting case study due to its size, the number of countries and languages that are components of it, the disparities in GDPs between those countries, and the different levels of conflict and crime within each country. It is also an area from a CH perspective that has very rich source, transit and market countries. It has some of the most famous underwater sites in the world such as Cleopatra's Palace at Alexandria in Egypt or Baia in the Bay of Naples in Italy, and Pasolini points out that Mediterranean CP is in demand all over the world including the countries of origin meaning that it can be a self-supplying market increasing the amount of buyers.

Markovic says that in the Mediterranean in general, CP is a matter of identity, which can be hijacked by politicians for their own purposes, however, now it is a region divided, not necessarily in terms of competition or nationality, but in terms of CPP as there is not clear strategy across the Mediterranean region. Spatas speaks of his interactions in Cyprus with the police and the Ministry of Culture, who both independently said they did not trust the other and would not work together. This lack of cohesion at the national level will, he believes, impact any chance of collaboration with other Mediterranean states. Notably the Mediterranean is an ecosystem of countries that have fought, traded and co-existed for millennia, however, as Lefevre points out, there is no management system for the Mediterranean. Certain countries may work together closely depending upon a specific requirement but there is no cohered or structured way of ensuring security, commerce or communication between the different countries. Therefore, he points out, no one nation can lead on any of these topics, but nor can one organisation like the EU, NATO or Blue Shield lead on CPP. However, Pasi emphasises that cooperation between Mediterranean states is crucial because of those shared geographical, political, economic and cultural factors.

Reed talks about the diversity of Mediterranean cultures and the disparity in development. He says that places like Libya and Tunisia have bigger problems right

now than heritage, and well developed countries like Israel, with a strong economy and law enforcement system cannot contain the problem of CP crime. Ghaffari explains the complications of the MENA region thus:

'The MENA region, it's a mix of several races made differently. When you tackle the raising of awareness in states in this region of the world, they arrange a campaign for illicit trafficking that targets the people in the big cities. But the population is 95% or 99% not living in big cities, maybe less than 5%. The other 95% are the people in direct connection with archaeological sites. While the people you are targeting in the big cities might be in direct connection with the museums or with the market of looted objects, the illegal activities are happening outside of the big towns. Sometimes, in ancient cities like Damascus or Aleppo, or Cairo, they dig underground, but I'm talking generally about archaeological sites in the MENA region. Also, when they drew the borders in the last century, they did not take into consideration that there were mobile tribes, for example between Iraq and Syria, between Egypt and Libya, and these tribes don't think, they move, and they move their property with them. So the borders created a wall to split these tribes, or to prevent them from moving. That was the beginning of the problem, creating a border between the countries, later on it became another problem, because you have historical routes for trade. And so people turned from travellers or traders into smugglers by creation of these

borders. So, I find one of the earliest
problems is creation of the borders
because if you don't have borders, it's not
smuggling. The other problem is the
current continuous conflicts, and the
richness of cultural heritage in the MENA
region. So it could be a benefit, but it's
also a curse. Because if you don't have
stability, in relation to political and socio-
economics in a country, that turns into a
negative issue, because people will move
into looting due to economic reasons. So
this richness of cultural heritage offers a
target for this kind of crime.'

Matt Davies, a British underwater archaeologist and military Reservist, notes that CH is causing conflict between Morocco and Algeria over ownership of food, music and medieval poets and their works. He says the issues over CH indicate other tensions that could lead to a potential flashpoint in the future. Elsewhere in North Africa there is positive steps being taken, Carter says Tunisia is starting to talk about shipwreck surveys, which can be viewed as a step in the right direction because it recognises there is Tunisian underwater CH but is not yet discussing looting or trafficking of CP. Until that is addressed it will be a small step in the right direction.

Stevens, talking about Lebanon, discusses the evident respect both sides had for each other's CP during the civil war because it was viewed as a predominantly political conflict, not a religious conflict. From experience working out there they view themselves as Phoenician historically and they do not want to see these sites destroyed or damaged because it ties into their Mediterranean identity, much more than the idea of a Middle Eastern identity.

Italy plays an interesting part in all discussions about both the Mediterranean and CP. Errani quotes the figure, 90%, as the amount of cultural heritage Italy has in terms European CH. She goes on to say that CH in Italy can almost be a problem, because everywhere you dig, you will find CH, which means any pipe-laying or minor or major construction will be stopped for archaeologists to do surveys and archaeological digging. It is routine activity that people view as a blocker rather than an opportunity. Santino Bruno, a member of Italy's Carabinieri, remarks that smuggling CP into Italy

would be like smuggling beer into Oktoberfest, but says in the words of Judge Falconi, 'one must follow the money'. And the money can lead to big dealers in Italy, or the use of Italy as a transit country to get to Switzerland[32]. Pasi corroborates this saying that the illegal export of pieces of art is accomplished through the same channels and sea routes as illegal drugs, weapons and clandestine immigration, and at least 75% of the trafficking of cultural heritage is coming from Sicily, and it happens exclusively through the use of fishing boats, yachts and cargo ships, the remaining 25% is transported through lorries that cross the whole Italian peninsula, reaching Switzerland where they ship to France, the UK and overseas.

Carter observes that pretty much every taverna or restaurant in the Mediterranean has an amphora or two as decoration that they bought off a fisherman or looter. He knows of a wreck off the coast of Montenegro that has produced a steady stream of silver coins but the only people that know where the actual wreck is are the looters. The authorities and locals have no idea. He thinks Albania will be the next growth site[33] but thinks that a lot of the Croatian wrecks have now been picked clean. Spatas points out that the Greek coastline is massive and includes roughly 60,000 islands. Something also noted by Vasiliou[34] who has seen in Greece the differing attitudes between the mainland and the islands. On the mainland it is probably about preservation, but on the islands, which are mostly made up of fishing communities that find these objects all the time, they will have them on display in their tavernas or homes as objects of beauty to show off. Reed highlights the complexity of the Mediterranean. He points out that every country has its own laws, and each stakeholder uses the sea in different ways for different purposes, and where CP could matter to one community but not the community at the other end of the island, like Cyprus for example. Egypt has some interesting discussions around it now, it has embraced ancient Egyptian history despite its current Islamic culture but for anything else they do not care[35]. Parra says Spain has a long history of people snorkelling recreationally and just taking objects home. This is a past-time and a way of life. These are the kinds of challenges faced when trying to ascertain if a crime has been committed or it was an unthinking member of the public. Vasiliou says that France has a digital atlas showing where all their shipwrecks are, an idea that could and would not be entertained in Greece due to the risk, but it allows divers to visit the sites. This seems extremely altruistic to provide such information to

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[32] Carter concurs.

[33] Diving was banned under Hoser so a lot of material has never been touched.

[34] Daphne Vasiliou is a Greek underwater archaeologist.

[35] There was a dig looking for archaeology from the Battle of the Nile and because the battle was between Britain and France the Egyptians took no interest whatsoever.

divers, but evidently stern controls would have to be put in place to know who was actually accessing the information. Reed shares two anecdotes about working in the Mediterranean, firstly:

> 'I was a young diver diving in the Mediterranean on a Roman site off the coast of Turkey. I jumped off the side of the boat and the first thing I landed on was a big pile of amphora and I thought this is the wreck we're looking for. And was told 'No, this is a Byzantine wreck. It's not this, it's that one.' Then we swam over a medieval church, which was disassembled, like a flat pack, another Byzantine wreck. Then some Bronze Age anchors sticking out that was probably another wreck, there was five more wrecks we passed over in half an hour of swimming to get to the wreck we were looking for. So the first thing I would say is the Mediterranean is particularly blessed with the depth of history, and there are objects everywhere'.

And secondly:

> 'I did a number of years in Egypt in the sunken city of Alexandria and Heraklion. So multi-period sites, very complicated sunken landscapes, incredibly difficult to do any true management because you're dealing with a site that was 13 miles long and 10 miles wide, and has an active fishing community and an active diving community, military exercises, lots of stakeholders, so you can never close the area off and say you can't go in. And we know for a fact that fishermen every year,

if they couldn't catch any fish, would dredge their nets along the bottom of the seabed but they weren't picking up any objects. In fact lucky for us, it wasn't really a problem because there was so much sand on the site, about five metres before you hit any archaeology, they were very unlikely to actually find anything. But we didn't do any sort of interviews with the local population or really engage them on that level. But anecdotally, working with the Council of Antiquities archaeologists who worked there pointed out the problems with Egyptian legislation was all ancient objects found automatically become property of the government. So there's no benefit to a fisherman, a diver, a beachcomber to actually find an ancient object, they might get a small amount of praise for handing an object in but it would never be a financial reward. And people particularly living through the 2010 Arab Spring, were very financially strained, so the temptation to actually loot these sites was much greater particularly through a lack of jobs in legitimate occupations.'

These anecdotes prove some crucial concepts ahead of Chapter 4 which will appraise the risks to CP. Firstly, the sheer magnitude of underwater archaeology after years of trade and warfare is hard to comprehend, and what does that mean for those that preserve it and those that want to make money from it. Secondly, the environment can force people to conduct crime or dissuade them from doing it, but there will always be people that will try due to desperation, even if there is a small chance of success.

3.12 AN APPRECIATION OF UNDERWATER ARCHAEOLOGY

To understand the challenges of underwater looting, especially at the low level, it is useful to understand the concepts and processes of underwater archaeology. Historically Markovic says that most of the Mediterranean countries do not have a long tradition of awareness of the importance of underwater CH. Malta is changing that by trying to understand the threats to shallow water sites since the expansion in diving and the use of rebreathers. The next step is looking to protect deep water sites. One assumes that the threat to deep water sites is much less, centred on salvage companies and professional diving companies.

Reed mentions the different disciplines for archaeology connected to water; underwater archaeology, maritime archaeology, marine archaeology, nautical archaeology, coastal archaeology and hydro-archaeology, but for the sake of this study the main focus is underwater archaeology. This can be defined as 'the recovery of information from submerged artefacts and underwater sites for the interpretation of past human cultures' (Marine Protected Areas, undated). Despite austere conditions archaeologists will apply painstaking methodologies to the business of excavation and recovery of items within stringent safety guidelines.

An appreciation of how underwater archaeology is conducted proves that underwater looting is a challenging and dangerous enterprise. Vasiliou provides a breakdown of the methodology for conducting underwater archaeology when dealing with ancient wrecks[36].

1. Identify an area that is known as a trade route or area of known ancient activity[37].
2. Conduct exploratory dives with personnel or Remote Vehicles to ascertain the size of the site, whether it has already been looted or not, how well preserved it is, and what is the main context.
3. Conduct photography and subsequently object identification.[38]
4. If intact amphorae are discovered they will be raised to allow analysis of technology, contents, origin.
5. A 3D model will be made of the entire site and contents.
6. Conduct geo-referencing of the wrecks to provide a rough set of coordinates for the site.

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[36] She says that the methodology may be different for modern or contemporary wrecks.

[37] For example, the Forni Archipelago where she was part of a team that discovered 58 wrecks (more than the 50% of the shipwrecks are dating between the late Roman and Byzantine period, between the third and seventh century AD).

[38] Usually in the Mediterranean it is the identification of amphorae that provides the initial information.

7. Analyse the quality of the site and decide whether or not to apply for a permit to excavate.

After this the excavation will begin which will resemble an excavation on land only with the cost and danger associated with underwater activity. If the wreck is in deep water, one must create very specific dive plans, and the cost in terms of appropriate equipment goes up again, even for the type of crane that can bring artefacts up from the seabed. Once the artefacts are on board then they must be conserved straight away and stored safely while kept wet and desalinated. This suggests that one needs a very well-trained professional team with a knowledge of diving but also finds conservation[39]. Vasiliou goes on to say that it is an incredibly demanding job that pushes people far more than working on land.

This set of guidelines, although focused on the correct procedures to recover artefacts demonstrating all due care an attention does emphasise the consideration that need to take place. Even if underwater looters do not care about protecting large parts of the site they need to locate the wreck in the first place, they need to apply safety measures for their diving activities, they need to be able to recover objects to the surface and then store and conserve them for transportation back to land. In addition, they need to be subtle about their activities so they do not get caught, potentially having to dive at night with reduced visibility and all the challenges that brings. Underwater archaeology is a challenge, underwater looting more so. However, in terms of underwater CH Pasi is extremely optimistic and thinks it will never be too late as the sea is so vast and deep that looters could not reach every part of it, so there is a lot to discover and the goods which have been stolen constitute only the tip of the iceberg.

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[39] Vasiliou states the required underwater archaeology team consists of archaeologists who can dive, architects, topographers, photographers, and conservators.

CHAPTER 4: THREATS AND RISKS

After building an understanding of the environment, one must investigate the myriad of threats and risks CP faces. These risks provide understanding for what can go wrong and why protecting CP is currently so challenging, one must also understand the diversity of thinking towards CP and how it can be exploited, and understand how threats and risks are evolving over time. If the risks are identified one can then go on to assess if the right people are responsible for CPP and whether their efforts are targeted in the most efficient way. Evidently, the threat to CP is continuous but by breaking it down into individual risks one can better analyse the threat and come up with innovative solutions, or simply reinforce current strategies. This chapter has identified eleven risks to CP, with one additional problem, the high cost of protecting CP, referenced many times as part of the other risks, so it has not been separated out. Any kind of NGO activity or law enforcement work carries significant cost. Many of the interviewees referenced the cost of CPP while discussing other issues, therefore, this thesis accepts cost as an issue and underlying problem but it has not been given its own sub-chapter.

4.1 A FINITE AMOUNT OF CP

An indisputable truth is that eventually the trade in antiquities will diminish because there is only a finite amount. Whether it be antiquities or Old Masters paintings it is clear that no more can be produced, therefore, for multiple reasons there will be a diminishing amount of CP. The problem is one of supply and demand, the demand is growing and the supply is constantly reducing. There is evidence that sites have been picked clean. Not only does this show looter's lack of understanding and accountability for what they are doing but it also indicates a swarm behaviour (Johnson, 2023) where large amounts of looters will pillage a site and then move on. There is another element to this concept of a finite amount of CP. Knight thinks that the Departments of Antiquities in Israel, Jordan and Palestine only put their efforts into protecting the big sites. This behaviour is replicated elsewhere and from a viewpoint of attracting tourism one would focus ones efforts in key locations, but that also implies that one is only protecting a small amount of CP in big locations and the rest is left unprotected. If this modus operandi is common then authorities may not even know the extent of looting that has occurred in smaller sites, or even that those sites exist.

4.2 A HOSTILE ENVIRONMENT – CLIMATE CHANGE

CP is at risk whether it has been discovered or not. Humans have created more underwater CH due to climate change but also previously submerged CP has been revealed as water levels have fallen in some places, leaving the CP to be damaged by the sun and the elements. These fluctuations in water temperature and water levels creates a hostile environment that impacts the preservation. Robinson believes soon inshore buildings will become underwater CH and in many coastal areas terrestrial archaeology will become maritime archaeology or underwater archaeology. This exposure of sea beds, riverbeds and lakebeds could reveal CP not seen before and which would be easier to loot. Parra also points out that the current impact of climate change means that a lot of cities on the coast in Europe may be submerged in 50 to 100 years so they too will be become underwater CH.

Markovic discusses the unforgiving nature of the sea but notes that due to increased human activity such as maritime trade and leisure activities such as diving and powerboating there have been increases in water pollution which could also have catastrophic effects on the preservation of CP. Pasi also says the Mediterranean suffers from hundreds of tons of factory waste being dumped in the sea, loaded with heavy metals, hydrocarbons, pesticides and mercury creating sea pollution that is negatively impacting the chemical composition of the sites where shipwrecks and relics are preserved, accelerating the degeneration process. Reed believes the danger is WW2 wrecks that may still contain oil or dangerous substances and are lying on the seabed slowly releasing these chemicals into the water.

Many participants argued climate change is far more responsible for the destruction of CH than criminality. Bruno says CP crime is quite damaging in certain areas but climate change affects everything all the time. Reed agrees thinking simple natural processes like natural degradation will have more of an impact than looting, commenting that on the seabed, a pot is just as likely to be broken by an octopus as by a human. Robinson states that climate change is the biggest challenge one faces and the ocean is the single most important factor in relation to climate change. Rising sea levels and ocean acidification are quietly being addressed but underwater CH is not part of that discussion. She talks through the process thus:

> 'Warming waters produces excess carbon
> in the water column, which attracts ship
> worm, so wooden wrecks are literally
> eaten if they attract these invasive species

because of warmer waters. Warmer waters also mean more active waters so an increase in wave action, which can cause coastal erosion, or further coastal erosion I should say, and ocean acidification that can cause rusting in iron wrecks, which is going to be a significant problem if it speeds up the corrosion of wreck warships that still contain bunker fuel and that comes out and possibly creates a bigger environmental risk. Climate change itself can increase extreme weather, like storm surges or hurricanes, and this can uncover previously covered underwater cultural heritage.'

The risks to underwater CH are multiple and this also contributes to the 'finite amount of CP' concept because there are shipwrecks out that no one knows about being destroyed by natural processes that humans will never know about. Beltramo asserts that the impact of climate change is dependent on the region. Recent reports from Italy show how it experiences heatwaves one week and severe flooding the next and it is causing huge amounts of damage to one of the Mediterranean's biggest sources of CP.

Another human factor that is the result of climate change is mass migration. As temperatures rise and agriculture suffers, especially in northern Africa people become migratory in search of better living conditions, which can aid the smuggling and trafficking of CP. These transient existences are very hard to pigeon-hole as one specific problem but the result is multiple forms of criminality of which CP crime is one of them.

4.3 THE MARKET

The market has been discussed in Chapters 1 and 3 but it must be emphasised that it also poses a consistent threat to art and antiquities. Towers says that in terms of the London market, criminals are more interested in items like jewellery which they can melt down or repackage, and antiquities are now very hard to get into most big auction

houses because of the provenance required. Bonhams rarely appear in the media with negative press but Sotheby's and Christies especially are still regularly accused of attempting to sell unprovenanced items (Tremayne-Pengelly, 2023; Cascone, 2020). However, Russell uses New York as an example of the authorities clamping down on the market and achieving a number of high-profile seizures of trafficked antiquities but it has not stopped the trade, merely moved it elsewhere. This is part of a bigger problem, as Carter says, once something 'becomes your property you can sell it anywhere' and Markovic believes there will always be a market, one must therefore decide whether it is a legal one or an illegal one. Russell emphasises the difference between CP crime and other types of criminal trade such as drugs or weapons, and that is any buyer with money can openly access to market to make a purchase. An open, unregulated market that is not viewed as immoral or illegal is a bonus for criminals infiltrating the market. Both Fourni and Russell say the way one deals with the marketplace is key, Fourni says one must engage them and confront them with hard evidence that is hard to challenge. This is difficult to dispute, there is too much money involved for the markets to change because a well-meaning heritage sector says they should. Only with proof that their activities are linked to criminal activities can change occur. The market is and will continue to be a constant force within the art and antiquities world. The question from and an art and antiquities protection viewpoint is can it be fully integrated into CPP or will it remain in the grey world. There has not been much improvement since the literature covered in the LR but perhaps the growing amount of compliance departments constitutes some proof that things are moving in the right direction.

4.4 CONFLICT

Conflict is a multi-faceted phenomenon which can include state versus state, civil war and even intra-conflict like the government versus FARC rebels in Columbia. However, as Stevens points out, militaries do not declare war, they are sent to war by politicians. From experience the UK military will have very clearly defined parameters for what they can and cannot do and this can cause consternation and frustration to other agencies but it enables specialists to stick to their fields of expertise. Stevens goes on to discuss the negativity of his experience when he first started out in CPP:

> 'When I first got involved in CPP in 2003,
> in relation to the coalition invasion of Iraq,
> the biggest threat to the cultural property in

Iraq, at that time, was the failure of the coalition to understand its importance, and to understand their potential impact on the cultural property. There was no cultural property identified on any of the military maps, there had been nobody assigned to identify places that should be protected, or nobody delegated to protect any places unlike the Finance Ministry, the Bank, the Oil Ministry, etc. And if the military aren't given an order to do something, and if a particular unit isn't given that responsibility, then it won't get done. And that sort of culminated in the bizarre situation where my ex-colleague, Donny George, who was the Director of Research for the National Museum in Baghdad, going to the US Army saying, 'Please come and protect the national museum'. And apparently the army response, having looked at their maps on the bonnet of a car, said to him, that there wasn't a national museum because it wasn't marked on their maps. And they had a slight concern that he was an insurgent trying to lead them into an ambush. He went back about three days later, in a sort of sarcastic way saying, 'Don't worry, there's no need to come and protect the museum, because it's been looted. Thanks for your help'.

Two decades later the approach may be different, but it does depend on what the military have been given responsibility for. This can be aligned to other agency objectives if there are common aims.

Terrorism is an important consideration. Collins references Syria and how threat financing became a major concern. He says that many considered oil was the main source of income but antiquities were a very respectful second. The CP trade was

three-pronged for ISIS, firstly they could sell licences to looters to dig up sites, secondly taking a percentage of each item's value that was moved through their territory or thirdly, trafficking and selling the items themselves. These potent sources of finance introduced the industrialisation of looting for profit. Russell admits it is difficult to see the direct links between antiquities looting and threat finance but the evidence is in the mass destruction of sites, and the amount of antiquities going through auction houses for profit. Which means vast amounts of CP are being trafficked. Markovic has seen the impact of war in Syria from the Lebanese side and how the borders almost became porous for antiquities trafficking. This again links into the concept of the poor conditions exacerbating the problem for CP.

Reynolds mentions the term 'blood antiquities' and interprets it as the stage when collections are fuelled by conflict seeing areas militarised in order to gain economic value through antiquities. Eales, through his police career, saw the use of art and antiquities used in similar ways by the IRA and armed Egyptian groups to fund the purchase of weapons.

Stevens talks about the historic destruction of sites in the former-former Yugoslavia or the persistent attacks on Yazidi churches and monuments and dwells on the importance of targeting, and whether they were legitimate military targets or it was deliberate persecution. This is more of a concern for state militaries and ultimately, collateral damage will always be a threat to CP because military commanders will never prioritise CP over human life. However, from a media perspective state militaries will always be viewed negatively if they are responsible for the damage or destruction of cultural sites. Historically Parra says that CP in the form of WW2 shipwrecks can cause issues if the ordnance is not removed. These wrecks are CP but also have the destructive capability to be a threat to other CP in the area and could be the targets of terrorists or military groups because they provide opportunity to cause damage without having to attain large amounts of explosives. Conflict and terrorism are part of a concoction of issues that continually impact the Mediterranean but by no means the only issues of note, but much like climate change can cause massive migratory flows that Mediterranean countries will not be able to cope with.

4.5 CRIME

Initially crime was the main driver for this thesis, and it remains a key component of the risk matrix. However, it must be seen in context. It is part of a set of problems, not the problem. Pasolini states that the illicit traffic of CP is an extremely transnational crime,

which affects every country in the world as either a source, transit or destination country. This suggests scale and scope but it does not overshadow all other risks.

Harrison discusses the part-time and full-time nature of different actors. He breaks it down into what could be described as opportunist part-timers who just take things they find or when the opportunity arises. Then there are the entrepreneurial full-timers who make a living from it but are not part of a criminal structure, and finally there are the organised groups operating within organised networks which vary in size[40]. Furthermore, Spatas has done some extensive work on data analysis of CH crime practitioners in Greece. Due to the arrest form requiring the occupation of the person arrested he discovered that priests, geologists, women (who declared that as their profession), students, farmers, and even policemen have been involved. This lack of similarity makes it hard to understand the reasons for these people to commit CP crime.

Pasi says that because Italy is recognised by UNESCO as the largest holder of CH in the world, it would be impossible to think that there would not be a high level of organised crime in this field. Harrison talks about the involvement of the Italian mafias in CP crime and how attitudes in Italy are changing, going from a stance that the mafias are not involved, to they only manage it, to they are involved in every aspect of it. This evolution of thought, or acceptance of the truth, is interesting as it cements the idea of transnational criminals with global networks able to move anything around the world. Pasi says that Sicily is the most looted region in Italy and it is criminality that links it to New York, London and Switzerland and he references the Institute of Cultural Heritage And Monuments of the National Council of Research, which says 'the haemorrhage of our [Italian] cultural heritage costs Italy a point of our GDP'. He has personally observed archaeological sites in Sicily with so many potholes they looked like a moonscape and he came across plastic cups with warm coffee inside which indicated how quickly the looters could move in and out when required and how adaptable criminals can be. Eales mentions an Italian drug trafficker who had obtained fine art not for its cultural value, or even financial value, but because it provided him with a get out of jail free card for when he got arrested and needed to make a plea bargain.

Mark Wilson, a British maritime law expert, talks about another island, Malta, which he dived. They discovered a site of amphorae and reported it to the Maltese authorities

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[40] He knows on one raid that resulted in the arrest of over 30 members of a gang just dealing in CP crime.

who banned diving in the area. When he went back about two years later, he found out all the amphorae had gone, taken he was told, by people in speedboats from Sicily.

Carter also makes it clear that violence is part of the CP criminal world. Referencing the Lava shipwreck off the coast of Corsica which was the source of Roman gold coins which have subsequently ended up in private collections all over the world, but one of the people who discovered it was murdered and a criminal group was massively involved in extracting the coins. This danger is likely to be more endemic at different stages of the CP's journey, most likely during transit if that it when the most experienced criminals are involved, and potentially at the looting sites because ruling by fear is effective. What remains to be answered is how much violence takes place in market countries to get illicit CP into auction houses.

4.5.1 Organised Crime

Identifying how crime operates in this world is an important step to then identify ways to stop it. It is evident that in the CP world there is Organised Crime and crime that is organised. Markovic describes it as 100% organised, a smart network, run by smart people. However, he does not believe it is integrated with other criminal activities like drugs or weapons unless the transport routes overlap. Basha agrees saying there is a whole chain of people who are professionals, and who are specialised in looting art and antiquities because the trade in art and antiquities is not the same as drugs or guns. They might use the same roads, because the roads for illicit trafficking can be the same but people who deal with weapons want cash, they will not handover a weapon and take a statuette in return, people who deal with drugs, will not give one drugs, and then accept a sarcophagus. From her point of view the worlds are different but may collide once in a while. Reynolds thinks it is more granular still, he states that the organised nature of criminality, varies dependent upon the commodity and so the commodity of maritime heritage is very different to fine art or antiquities, or museum objects stolen in Europe. But he also believes, because the smuggling routes are the same, that the criminal networks are the same that transport the goods. Harrison has spoken with police officers who lament it is always the same people within countries and even Europe-wide criminality that keep cropping up. The dealers at the market end are visible, and supplied by less visible people, but via this process the items will be laundered. Abbott says that using the UN term for organised crime as a group of people linked together to a common finished stage in the process then it is all organised crime but if one is talking about it as CH looting that heavily involves people

from the 'Ndrangheta, or the Camorra or Cosa Nostra, then this happens much less frequently. Although there may be connections and overlap, and there must be communication regarding routes and who to bribe. So there is organisation and planning.

Markovic makes it clear that countries like Egypt have harsh penalties for those caught conducting illegal activity in regards to CP so the criminals need to be better organised and smarter than Montenegro for example where it is more of an opportunistic crime, low risk, low reward. Items may flow from looters, through officials within the regime, in Syria, through Hezbollah in Lebanon, and out into the market in Europe and North America, but you get all of these different structures within one ecosystem.

Stevens quotes Matthew Bogdanis, the US Marine Reserve Assistant DA in New York who said he has kicked down too many doors not to realise there are four things involved in criminal activity in conflict environments; money, drugs, weapons, and on the fourth wall, CP, and the network is the same for all of that and the people involved are almost the same. However, one finds that things diverge in the market country so one does not find the same person putting the drugs on the street in London, as you will putting illicit antiquities through Sotheby's. This ties in to the thoughts of others that Organised Crime is involved in the trafficking of CP, and the sale of CP, but potentially not the actual looting.

4.5.2 Underwater Crime

Pasolini states that underwater CH sites worldwide are exposed daily to a range of critical challenges which include plunder, trade, fishing and the extraction of natural resources. In addition, underwater archaeological sites are regulated by extremely different national legislations worldwide. Pasi believes that underwater looting is thriving because of the lack of adequate protection due to coastal patrols being so demanding. He singles out shipwreck hunters as the main 'enemy', especially ones from an American company who are divers that destroy archaeology solely to attain high-value objects[41].

The conducting of underwater looting relies on a number of factors for success; researching the location of sites and wrecks, finding people with the requisite skillsets to dive and retrieve objects, knowledge of law enforcement in the area to prevent

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[41] He believes the mafia are more interested in the export of art and antiquities as a way of making money rather than salvage.

capture. Smith says the networks that are responsible for the illicit excavations of underwater objects are quite different from the ones that take place on land, because primarily, you have got the issue of getting the equipment for the dives, especially for deep sea activity. She imagines that those networks change not only from land to sea, but with the gradient between shallow water and deep sea. And there is a lot more of a deliberate effort to excavate illicitly. This must imply funding, organisation, intelligence gathering and leadership. Reed shares an anecdote where people based around the eastern Mediterranean[42] are taking ancient amphorae discovered on land and placing them on racks in the shallow waters of the coast and leaving them there for two years to 'marinise' them. This increases their value in terms of sale price as items connected to a shipwreck have a higher perceived value than those found on land. Similarly, Basha, when talking about Lebanon, tells of a Phoenician wreck near Tyre that has been 'constantly' producing objects for sale for the last ten years. This implies that firstly criminals are attributing artefacts to a piece of underwater CH because they will have a higher value and secondly that there is some organised process of marinising artefacts there as well.

Spatas says we do not know the exact number of underwater CH sites because one is dealing with shipwrecks and submerged CH sites that one cannot see, but if one was a member of organised crime, one should try to find shipwrecks because the risk to getting caught is minimum. Additionally, the Coast Guard and Port Police have never received any education or proper training about the protection of underwater CH. This is an interesting view because the higher the risk, the higher the reward, but also it asks the question, if one cannot see the submerged CP, then how will the criminals.

4.6 SUBSISTENCE LOOTING

Subsistence looting is a divisive subject. It is viewed as a necessity compared to organised looting, less about profit and more about survival, but the impact on CH is still the same. Pasi says that until a few decades ago, the looters in Sicily were poor peasants who were happy to earn a few pennies in order to feed their families. They were mostly ignorant, but knowledgeable of the places and skilled in locating historical sites and they cooperated with individuals who were able to take the findings out of the region to sell them to collectors. The risk now has expanded to what Sicilians call 'the Sunday grave robbers', who are passionate about art and archaeological sites and use

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[42] Cyprus, Lebanon and possibly Israel

metal detectors. Bruno agrees saying that the subsistence looters could be organised at the lowest level to exploit a site but would have no idea about how to get artefacts across borders, so in Italy that is when big Organised Crime groups get involved[43].

Fourni believes that looting is a topic that, until recently, was not really discussed formally and certainly no training was provided on when and why looting may occur. She describes how, upon uncovering a rare find on a site in the south of France, the archaeologists themselves had to arrange a night watch because the fear was that even there, looters would come in the night to remove anything they could to make some money. This experience highlighted to her the fact that looting was a known-occurrence but not necessarily one that people wanted to talk about. Tom Gower, a British archaeologist and military Reservist, says any newly discovered site with valuable material remain is at risk of looting. Potentially, the presence of archaeologists is a signpost that valuable items are present. Beltramo talks about her experiences and how the people who came back to the site to loot it in the evening were the ones observing the site and asking the archaeologists questions about what they were finding during the day. However, Ghaffari makes an interesting observation about whether people in the MENA region consider it looting or the retrieval of objects that are rightfully theirs. The belief that they can dig up and sell artefacts goes strongly against most Western views, but is the West correct in its outlook.

Vasiliou talks about the Greek islands and the famous Kalymnos sponge divers. Although fishermen are partly to blame for damage to many sites in the Aegean, it is these divers that have plundered the wrecks, stripping them bear. The interesting proof of whether it was a fishing boat or divers is based upon the condition of the wreck. If the wreck is spread out and damaged then the predominant cause is a fishing net being dragged along the surface, but if the wreck is in good condition but the artefacts are spread out then chances are it was divers who were removing items from the hold and discarding what they did not want to keep. Whether these people are looting or subsistence looters trying to survive is open to debate, but they are skilled and knowledgeable. Reed's anecdote demonstrates that horrific impact uneducated looters can have:

> 'When we were working in Egypt, one of
> our sites that was within our greater
> excavation area, contained L'Orient, which
> is the French flagship from the Battle of

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[43] Bruno says there is also evidence that Hezbollah is involved in CP trafficking to South America.

> the Nile. Looters realised that she was
> covered in cannonballs, so they recovered
> those hoping to melt them down for scrap
> value, unfortunately they didn't realise the
> ones they recovered were largely
> explosive cannon balls full of black
> powder. I was told eighteen people died in
> the explosion when their furnace
> exploded.'

Whether looters of subsistence looters, from the point of view of protecting CH/P, they must be treated the same because their impact is the same. What seems likely now is that subsistence looters are being exploited to deliver large amounts of CP that criminals will then process, traffick and sell. The criminals are exploiting desperation and poverty for financial gain.

4.7 CORRUPTION

Corruption is a key part of the risk matrix because corrupt institutions are twice the threat, firstly because they will usually do nothing to solve the issue, possibly even exacerbate it. And secondly, non-corrupt countries will rarely be willing to work with corrupt countries because the risks are so high. No one wants to donate funds if they do not know where they will end up, and no one wants to share information if they do not believe that it will be used appropriately.

Basha says that the two of the biggest risks to CP are stakeholders and money, 'summed up as greed'. Fourni also says that moving smaller items is not hard, but if moving the very big, expensive items of CP then powerful people are behind that and bribery is rife. It is important to note that Western views on corruption are that it is wrong on every level but in some emerging nations accepting a bribe is viewed as a way of life and a method to top up one's income. With dark humour, Markovic noticed that a change in government in Montenegro made it very hard to know who to speak to get things done, as 30 years of control was undone. Rightly or wrongly the system worked because it was run in a certain way. Corruption is a threat but when it is removed one needs to know the system will still work.

Freeports in Switzerland are a huge problem. Russell says they have a bad reputation, not necessarily because it is a tax-free warehouse[44], but because of the secrecy that surrounds so many of them. She goes on to say that if a Freeport is really well run, and it conducted due diligence checks, created an inventory akin to a museum or auction house one would know when the items were being moved and one would know who the owners are. This would definitely remove some of the opaqueness. Carter also raises the issue of Swiss Freeports saying after 2008 the number of Freeports for antiquities grew a massive amount and there is a lot stored in them, but no one can get in to see what is there. Switzerland's law is, if something has been stolen, it becomes the legal property of the owner after 10 years, so by putting stolen items in Freeports it is like a method of laundering antiquities using time.

The final point is not so much about corruption, but about corrupt practices. Carter discusses the US lobby system and how the lobbies are far more powerful than the archaeologists and CH specialists, and have far more money and know how to play the game when dealing with the US government. This suggests that there is no fairness in the system and that the heritage sector, without parity in terms of money and influence, will not be able to affect change, not even positive change. This being the case, the system is naturally corrupted.

4.8 DISINTEREST; GOVERNMENTS, POLICY MAKERS, AND THE GENERAL PUBLIC

Another non-aggressive but continuous threat is simply disinterest. Governments, their institutions, policy makers and the general public may not be invested in the protection of CP. At the international level, some interviewees noted how attitudes have changed in the military. Smith talks about members of Allied forces bringing back 'souvenirs' from Europe after WW2 as they moved across Italy, France and Germany. Although not frowned upon at the time, now this would constitute the removal of CP by a military force. Lefevre tells a story of how the French navy deliberately 'looted' an amphora from an underwater shipwreck to gift to President de Gaulle in the 1960s, which he kept in his house[45], and that could not happen now. Reynolds states that previously the UK military were more concerned that personnel might bring back pornography rather than CP from countries they were working in, but it has now set up a CPPU. It is widely recognised that as attitudes have changed so must behaviours and as a major governmental

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[44] Which is what a Freeport is.
[45] And is now in his museum on display to everyone who visits.

institution the military plays an important role in promoting its country abroad and its actions will be monitored. As Western militaries embrace the concept of CPP it becomes another tool of engagement between nations.

At the regional level, the biggest change Knight wants to see is the development of communication between Israel and the MENA region. This lack of engagement means a crucial partner in the area is not involved in discussions that affect all countries along the southern Mediterranean. Some of the other interviewees were dismissive of any communication with Israel on any matter. Although it would definitely improve the overall effectiveness of a MENA response to CH destruction one feels many other issues would need to be addressed first before CH could take precedence. Unfortunately, conflict broke out in late 2023 between Israel and Palestine and the likelihood of positive relations in this area have been rendered null and void.

The national level is fraught with problems. Pasi highlights the mismanagement of CH in Sicily by 'an army of executives, under-skilled functionaries and senseless politicians' all justifying drawing a salary. Ultimately, he believes Sicilian CH is more of a political agenda and propaganda for the purpose of the politicians. Spatas, who conducts training for other nation's police forces, was in Libya and made an assessment on how well the police department and Ministry of Culture's Department of Antiquities were working together; he realised they were simply not working together. This was potentially a result of the Gaddafi regime that had no interest in antiquities that did not come from the Arab tradition. He went on to say that if one had upset Gaddafi as a civil servant one was banished to the Ministry of Culture as a punishment. Basha says a big risk to archaeological sites in Lebanon is actually the Ministry of Public Works and the Ministry Public Affairs as they are in charge of construction work and urban planning and give the permits for the destruction of archaeological sites to replace them with buildings. Knight says the same about Israel, believing the rapidity of urban development and the unregulated building work that takes place around cities is a far bigger threat than looting. Couple that with the impact of agriculture there is so many activities taking place that damage the artefacts, the archaeological sites, and the landscape itself. Errani tells an anecdote about a bronze cannon close to the Italian coast in about three metres of water. Due to Italian law, if a member of the public finds an item, they can claim 30% of its value[46]. The weather conditions dictate whether or not this cannon is visible due to sand movement, and every summer people call up the local superintendent who is responsible

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[46] This is to encourage people to declare what they find.

for archaeological finds and tell him they have found a cannon and they want a sum of money, to which they are told it is not a new discovery, and thus not worth any money to them, and yet the same people call up each year. It is about mentality she claims, and by contrast this is better than the public on terrestrial archaeological sites who will walk along and pick up an item of ancient pottery and walk off with it without any consideration for what they are doing.

Lefevre raises the interesting point about whether certain organisations or institutions actually want to work together, even if it would be beneficial for them. He singles out the military and NGOs as two organisations who work side by side but not necessarily in tandem. He has encountered issues within the French army where senior commanders have said they do not need to work with NGOs because they are not recognised institutions. Parra argues that in the last 20 years people have been too focused on underwater CH and treasure hunters to the degree that legislation was not put in place for anything else. She references a case where scientists required Roman lead because its age guaranteed it had no radiation, and shipwrecks were being stripped and the lead was being sent to the laboratory. When there was public furore about this the scientists pointed out that these experiments were for the good of humankind and the lead served no purpose on the seabed. This caused further discussion without conclusion on what is the purpose of preserving CH.

4.8.1 Tourism

Tourism may not be viewed as an aggressive risk to CP but it is a constant risk. It might drive low-level theft and looting and the establishment of mini-market economies based around illicit artefacts. An unofficial market described by Markovic in the Middle East and North Africa is the unofficial souvenir market where small boys will offer tourists coins or small finds in exchange for a few dollars. The tourist thinks it does no harm, it helps a small boy make some money and the tourist can take home a souvenir. However, this is driving the destruction of CP on a massive scale because people will create a supply even if they do not know the exact demand because it is cheap to do so. Knight argues that places like Petra in Jordan are looked after because so many tourists want to visit and engage with the site. The risk is to the sites that are not in the public eye because it is more difficult for agencies and governments to know how to protect those sites, to protect 'the unknowns than it is to protect the knowns'. However, tourism is fundamental to the economy of Jordan so it must be protected by the Jordanian government. That is good for certain elements of CP but also means that one stops seeing CP in terms of a whole and begins to define it in terms of appeal to tourists, another way of applying value,

and what tourists want to engage with may be different to what the Jordanian people themselves value as important.

Errani says the huge amounts of tourists coming to Italy every year from the US, Canada, and Germany are looking for something they do not have at home, and Italy with its history of Phoenicians, Etruscans, Greeks and ultimately the Romans is a really attractive proposition. It is so different that it is attractive to tourists from these countries because they do not have anything similar at home unlike the British, French or Spanish who endured the Roman occupation. This opens up a market at the low level for Italian CP as people want to take home items that are unique to where they come from but also affordable. Pasi notes there has been a boom in tourism in Sicily and yet the island struggles to know how to turn CH into an income.[47] This suggests the lack of cohered interest and approach to the problem. Heritage management and tourist management should be linked together so that tourism can fund the preservation of CH for everyone's benefit.

Tourism has been highlighted here as a risk but will be an important part of the solution in Chapters 5 and 7, because of the powerful effects of building a tourism economy. Tourists are a risk but none intentionally want to harm CH/P so they can be exploited to become powerful advocates for the protection of CP.

4.9 MARITIME RISKS

4.91 The Sea

When beyond twelve nautical miles from the coast it becomes international waters and consequently very hard to determine whether archaeological finds belong to a particular country or nation. Private contractors, if well-funded and well-trained can exploit this area of the sea or ocean and not inform the authorities of their intentions. This legal grey space opens up opportunities for exploitation.

The biggest sea-going community in the Mediterranean to have interactions with CP is however, the fishing community. Vasiliou sees the advantages and disadvantages of fishing activity. In Greece, in the recent past if a fishing boat caught amphorae or other CP items in their nets then they would report it to the Department of Underwater

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[47] There are numerous neglected archaeological sites, left to degrade, to fires, to vandals and to sheep, furthermore, churches, palaces and monuments are at risk of collapsing and therefore would mean disappearing permanently.

Antiquities who would send out divers to confirm if it was a wreck. Depending on the size and quality of the wreck the fisherman would then be paid. Due to a change in legislation, if the wreck is at a certain depth, the site is now closed off to everyone, divers and fishermen alike, which means they are less likely to report a suspected wreck because it could be bad for their business. Errani also sees it as a boon and a negative in Italy. She says the fishing community do not trust anybody because it is a conflict over resources. However, they can provide bits of information that could mean further exploration is necessary, for example they have had more iron deposits in their nets, or their catch contained a lot of smaller fish, which indicates fish are collecting around a wreck. Reed has also seen fishermen throw artefacts back into the sea because they believe that reporting them will get them into trouble. This breeds a negative attitude to CP that would hard to change in the communities themselves. It is worth noting that poverty and desperation are probably most evident in fishing communities in terms of coastal communities because as fish stocks dwindle and maritime activity increases there are less opportunities to make a living as a fisherman. Pasi claims however, that criminal organisations make use of fishing boats as a cover-up for their looting activities or illegal trading of ancient relics. Whether the fishermen are compliant in this is indeterminable but people must make money to survive.

4.9.2 Salvage Companies

Salvage is a huge challenge to archaeology as a method of recovering antiquities due to the resources they can muster. Very few people can actually salvage, recover, or even search in a lot of international waters, because just they can be too deep or too far from the shore, or both. The Mediterranean is a prime place for salvage if one has the technology, and the inclination to go to deep water. Gower says his impression is that underwater CH retrieval is carried out by a mixture of people; those not knowing the law, those that know the law but broadly stay just within it, and those criminal elements that are willing to risk breaking the law for profit. Salvage companies fit into all categories.

Carter says there are very wealthy salvage companies that are making money by doing regular salvage work for pipelines and things, and then they turn off their transponder when they get over an historic ship wreck and they bring up cannons and precious metals then sail away, turn on their transponder and just pretend something went wrong. These are groups that governments are keeping an eye on but it is really hard to catch them in the act or prosecute them. They are not organised crime but they are

very wealthy, making big profits and operating illegally. Davies says they tread a fine line which may not be illegal but is definitely immoral. He says as long as the divers have the right equipment and the right permits in place for that equipment, they can destroy elements of global heritage and sell it from an unprotected wreck site. Parra mentions the Black Swan case (Whitlock, 2015). It was a Spanish shipwreck off the coast of Portugal. A salvage company found it and salvaged it, bringing up thousands of gold coins which they then flew to the United States. So the Spanish government had to take them to court and eventually reclaimed them. This is why many people consider salvagers as criminals in Spain. Collins points out that the odds are in the salvagers favour as at sea, because everyone has their own lives going on, and would not naturally assume that illegal salvage is being conducted. Therefore, a high degree of luck is needed as with the European salvage company that was bringing up items from HMS Hampshire and were only caught by chance and on being escorted to port and made to unload did people discover the true extent of what they had extracted (Rowland, Hyttinen, Macdonald, Wade, Turton, Fitzsimmons, 2020). Parra says the secret to their ruthless success is that many salvage companies are floated on the stock market and receive strong financial backing, and this is dependent on success. If they make notable and large finds then their worth goes up as does their share price, if they are not successful, their share value goes down.

Any business exists to make money. The market has been discussed as an area that needs regulation otherwise it is open to exploitation. Salvage companies also need to be evaluated, their willingness to exist in the grey area where immoral behaviour can be justified by financial profit means they will act aggressively to enhance their profit margins. Their financial backing also means that with the right equipment they can access parts of the ocean that very few, especially archaeology companies, could hope to access.

4.10 TECHNOLOGY

New and cheaper technology is both a help and a hindrance to CPP. It offers opportunities to underwater archaeologists to enhance their work, but also aids criminal activity and may help opportunist tourists in gaining access to CP that they previously would not have had.

Markovic sees the growing market for underwater submersibles as a major threat. These are now becoming so cheap and accessible that they are no longer the preserve of the rich. They can be stored in someone's garage, driven by a trailer attached to a

family car to any point of a coastline and launched. The companies are selling them to people as a leisure activity but the scope for exploitation as a looting tool is massive. He goes onto say the same with drones, the prices are falling and the quality is going up, and it is a matter of time before criminals see the potential to use them illegally. Reed has noticed the same but feels the biggest risk is that deepwater exploration is a lot cheaper than it used to be. He estimates that in the next 10-15 years every inch of the seabed will be mapped and explored so there will not be any lost shipwrecks, which produces massive challenges over how you protect those sites. It is going to be a problem that only increases and eventually one will reach a situation where everything underwater is accessible, and 'out of sight, out of mind' does not protect anything anymore. An already established method of using technology comes from Fourni who claims that more people have access to private aircraft meaning that they pass through very lax customs checks[48] and this is a prime way to smuggle artefacts into a country.

It is crucial that the benefits of new, cheaper technology are recognised early because one will find it hard to control the market or the people that buy it. Technology presents an opportunity for governments to build their knowledge and awareness first, thus enabling a good intelligence picture[49].

4.11 COMPLICATED LEGAL ENVIRONMENT

The lack of a comprehensive and multi-national legal framework with buy-in from all nations is a contentious issue and, although important, governments do not like to sign up to international conventions that may mean they do not have a choice about implementing a legal requirement because it can be both expensive and time consuming. However, without comprehensive legal frameworks any crime that is transnational is harder to combat.

Russell recognises a number of issues with the legal frameworks in place. Under criminal law, it is challenging because one has to think of which crime occurred in which jurisdiction and usually one has to have a victim or a criminal in the jurisdiction who committed a crime under that law in that country. There are any number of crimes happening at different times; looting or theft in the source country, smuggling in transit countries and illegal sale in market countries, possible with falsified documents, so who takes responsibility for prosecution, in which country, using which law. This is the crux

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[48] Harrison has even heard stories of people using private planes to get items out of Syria.
[49] The ability to use technology to aid governments will be further discussed in Chapter 7.

of the matter in many ways, without a clear hierarchy or management system there is no one to dictate what should happen where.

On a national level Carter points out that it can be opaque in Italy. He says to prosecute antiquities traffickers they have to use the language of the laws that were written for the mafia, so it is not necessarily that those people have membership to the mafia but it is the method to try and get a successful prosecution. One imagines that this can cause trouble when working with other nations who might be happy to go after a crooked antiquities dealer for theft or smuggling, but do not want to escalate that to going after a member of the 'mafia' network. It could also blur lines regarding data collection, for example, were the ten antiquities dealers working for the mafia or were ten antiquities dealers charged with crimes under mafia laws, which are very different things. Though as mentioned in the Crime section, this could partly be an acceptance of the problem. Finally, as Russell points out, for it to be a crime one has to knowingly be acting illegally, and by the time most of these items get to the market, the buyers do not have a clue, which makes it very hard to achieve a successful conviction, certainly under the UK's Cultural Property Offences Act.

4.12 RISK SUMMARY

The researcher's table represents the threats and risks matrix to CH/P. On the left the human factors that directly or indirectly have a negative impact on CH/P, on the right natural factors that are impacting the preservation of CH/P. Climate Change is in a different colour because as a natural phenomenon, it is exacerbated by human activity. The yellow box demonstrates that without political will at the highest level every other risk with be exacerbated, and suddenly CH/P starts to look very small in the blue oval.
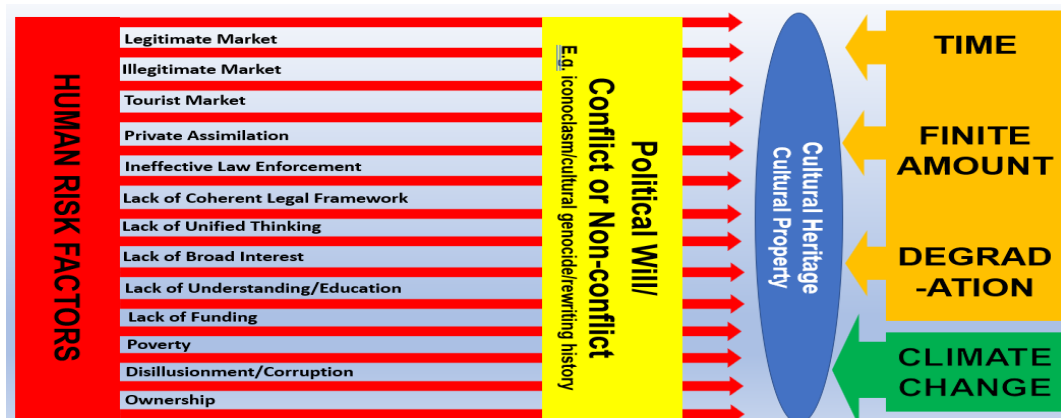

Figure 1 Threats and Risks Matrix

CHAPTER 5: THE LAW ENFORCEMENT RESPONSE

5.1 EVALUATION

The purpose of this chapter is not to list every law enforcement agency and rate their performance, but to evaluate what key law enforcement agencies are doing and the challenges they face in order to identify gaps in their approach. In a world where tight budgets and resources mean that criminals and crimes are prioritised, no one expects CP crime to be the top of anyone's lists[50]. There can be no discussion, law enforcement is the key actor in the protection of CP, but it has its challenges. For a start, there is no one cohered entity that can describe law enforcement in the Mediterranean. Smith argues that one has to understand what protection looks like to be able to enact it: is one pre-empting damage or trying to solve a problem after it has occurred, both come under CPP. One suggests that law enforcement has a role in every part of protection; information gathering and sharing, deterrence, physical protection, physical response, investigation and co-ordination. Reed believes that having a law that can be implemented and the 'blunt instruments' to back it up works and can certainly act as a deterrent for low level criminality. Though regarding law enforcement as merely blunt instruments is unfair and as discussed, does not reflect all the work they do. Abbott says that Italy's focus is on prevention of the crime because there are too many ways to get the trafficked goods out of the country, and once in Europe the lack of border control means that it is hard to pursue criminals. She adds that as there will always be mafia influence the judges in Italy are quite amenable when allowing phone tapping to build intelligence. What is required is more money and personnel.

The long coastlines, multiple languages and disconnect between nations in the Mediterranean is an instant blocker to good performance. Reed says that his impression is that law enforcement is completely overwhelmed in the Mediterranean because they cannot be everywhere at all times, and history in the Mediterranean is everywhere. This links to Markovic, who points out that law enforcement is, unfortunately, slow to react. It is not hard to understand why, it is normally a small force, covering vast areas and it does not really understand the situation. Reed goes onto to say he fears that there is too much dependence on a reactive response. He says that sites in Italy and Spain that are discovered are often vulnerable ancient sites like amphora wrecks, and the law enforcement response is to try and put a cage over

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[50] Except specialised CPP units.

the top to protect them, put CCTV in place, put out patrols because they know there is a real and present danger to those objects being removed. However, they cannot do that with every site. One assumes there is also an associated maintenance bill for all this hardware that would need budgeting for, and who will pay is questionable.

Despite the best intentions of many agencies, fratricide is a reoccurring problem that hampers the effectiveness of law enforcement. Eales and Abbott talk about the challenges of multiple police forces. In Italy for example there is the Carabinieri and also the Guarda di Financia. The Carabinieri have a specialist unit for going after CP criminals, however, the Guard di Financia may go after the same criminals for financial crimes they may have committed. This leads to a not always healthy, sometimes detrimental, competition.

There are a number of positives though. Knight thinks that funding for CH protection should increase because the agencies do a good job, but she does not see that increase happening during periods of hardship and in the post-Covid-19 era. This could be short-termism getting in the way of progress but the more successes they have the harder it will be to not support them. Bruno argues that law enforcement in Italy is winning. The challenges that remain are the missing information[51], and forming and maintaining specialised police units. He argues that the remit for these units is so complex you need to have the right people, in the right numbers[52]. Even if you had 10,000 officers in Italy doing just CH crime he believes it would not be enough to combat the problem. Abbott has also witnessed a change in mentality because they now have a willingness to accept help from external non-police actors. She suggests that for years they have been overwhelmed but were unwilling to ask civilian experts to assist with either object identification or investigations. In the last five years has that changed. She identifies the biggest problem though as specialised units almost need to justify their existence. And even the Carabinieri, who enjoy regular success, are almost blinded by that success to the degree that they are limited when it comes to the CP of other countries outside of Italy. The Carabinieri though have set the gold standard for what can be achieved.

Markovic says of Malta that they implemented a successful system that an officer of a national agency has a right to surveil, and to investigate any diving vessel returning to port if they suspect something is not right. The officer is empowered to inspect dive

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[51] A lack of comprehensive and honest inventories.
[52] Italy has over 300 for example, the FBI have 35, the UK has between 1-2 and Belgium currently has one post that they will not fill. However, after an outreach training programme to Mexico by the Carabinieri they now have over 500 trained officers.

gear bags and the ship, but also has the right to ask for SD cards so they can view images and videos, and this combination has been very effective.

5.2 ORGANISATIONS AND INSTITUTIONS

There are key agencies and organisations to consider, some working at the strategic level, going all the way down to tactical units on the ground[53]. These are established in combatting crime in multiple fields not just CP so the skills they bring are well-practiced.

5.2.1 INTERPOL

According to the INTERPOL website[54] it is an inter-governmental organisation that offers investigative support such as forensics, analysis, and assistance in locating fugitives around the world. This expertise supports national efforts in combatting crimes across three global areas they consider the most pressing today; terrorism, cybercrime and organised crime[55]. These three key areas could be exploited or responsible for the destruction of CH/P[56]. Eales points out that in Europe, INTERPOL and EUROPOL are the overarching organisations and within these organisations, there are people trying to ensure that administration can assist investigators in getting the job done. Although they are not investigating authorities in their own right[57], he views INTERPOL as a big international bureaucracy. Pasolini, who works for INTERPOL, states that INTERPOL supports its 195 member countries in tackling the theft and trafficking of CH through a global database of stolen works of art and in facilitating international investigations that help identify and disrupt the criminal networks behind the destruction of CH sites.

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[53] The military structure that this thesis uses has the strategic level as the top tier that is formed of the leadership and conducts broad context thinking, it influences the middle tier which is operational and that tier is responsible predominantly for planning, and the bottom tier is concerned with the actual tasks and jobs that need to be conducted to have success. In general, in the UK at least, civilian organisations revert the tactical with the operational making the tactical the middle tier.

[54] See Annex B.

[55] INTERPOL officials working in each specialised crime area run a variety of different activities alongside member countries, this can be investigative support, field operations, training and networking. Additionally, as crimes evolve, they keep an eye on the future through research and development in international crime and trends.

[56] Although this thesis does not cover cybercrime, cybercrime is a way to exploit the online market and infiltrate the physical market.

[57] Slightly less true of EUROPOL

Technology is an area that INTERPOL has enjoyed repeated success. Reynolds uses the INTERPOL Tracking Task Force as an example of good practice during the occupation of Iraq. It involved a global network of police officers and archaeologists working together to pinpoint trouble spots and look for missing artefacts. The archaeologists provided information and the police provided an appropriate response. Another big success is the INTERPOL Stolen Works of Art Database and the launch of its App, ID-Art, which can be accessed by the public. The App enables current access to INTERPOL's database by allowing its users to search all the objects reported as stolen, through either the manual or visual search functions. In addition, the App allows users to create Object-ID records of their own art collection, which could be sent to law enforcement in case of theft and they will be immediately inserted into INTERPOL's database. Lastly, the app will allow users to record photos, descriptions, conditions and the geographical location of cultural, archaeological and underwater sites. Pasolini says this function also allows users to establish the general state of cultural sites after natural disasters, armed conflicts or massive looting. By providing a critical record of the condition of certain sites at a specific moment in time, these site cards will also facilitate their recovery or reconstruction[58]. This development of technology is enabling law enforcement to build a better understanding of how CP crime occurs. Reed believes the interconnectedness of INTERPOL is starting to produce dividends because it is easier to trace an object from a field [source country] to a Freeport [transit country] to an auction house [market country]. Beltramo believes INTERPOL is also the prime organisation to hold the digital database that holds the museum, gallery and auction house inventories that she believes will make it so much harder to commit crimes against CP if everyone can access information stolen items.

Bruno believes INTERPOL is doing a good job creating awareness, they run a lot of events, and circulate a lot of information, and make the connections between stakeholders, but he wants to see the App develop so that it can also work underwater and build an accurate picture of what lies underwater at any given time. It appears that INTERPOL is starting to focus more on underwater CH though, Pasolini says that INTERPOL has been giving specific training on underwater heritage during national workshops for police officers. This suggests that as a crime CP destruction is being viewed as surface and sub-surface and so the technology will follow on. However,

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[58] To use it, go to any looted object, or art piece of art, which you already know is in the database, and then search on Google and find another photo of that object. And using your camera of your mobile, in the App, try to scan it, and it will take you to the database to the file where this object is.

when considering the Mediterranean, Knight questions how much focus INTERPOL has on Israel and Jordan, she says:

> 'I think a challenge for law enforcement is cooperation and collaboration with other agencies, so not just them as law enforcers, but with customs or with tourism, the police or with the various Departments of Antiquities. And so if there was greater cooperation among the various agencies it might make for more effective oversight, and more productive co-operation not just in Israel, Palestine or Jordan but in the whole region.'

She questioned whether this is naturally producing a gap in their activities if they do not include all countries in the regional discussions.[59] If the true value of INTERPOL is its interconnectedness, then it must see its problems as a whole not piecemeal.

5.2.2 National Police

The national police forces of all the countries in the Mediterranean region will vary in terms of training, funding, outlook, priorities and skill set. However, finding a common aim is crucial to bind them together. Stevens says the police and border customs are critical to the big picture. This is definitely true at the tactical level, where more than likely any interdiction of traffickers will be done by the police, and in the case of providing information on objects entering and leaving countries then Customs will have the lead. Fourni recognises the challenges facing national police in terms of staffing, resources and skills. Although she believes that a specialised unit is a must she understands that CH crime is not top of the agenda, and this is a problem at the political level. Similarly to the military, if the police are not told to do something it is unlikely they will add to their task list. This suggests the best approach would be to work more effectively rather than work more. However, this seems to be an historical shortcoming. Carter says police departments do not like talking, not even to other police departments, as a result, data

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[59] Since the interview was conducted Palestinians attacked Israel taking hundreds of hostages and Israel responded by invading Gaza. Thousands of civilians have been killed or displaced making the chances of a more joined-up approach between Israel and its Muslim neighbours and international agencies seem very unlikely.

gets siloed. This is echoed by Harrison, who says on investigating criminals the police can be a blackhole of silence. One can pass on information and never hear back or they do not ask the right people about who they should be investigating.

Spatas worked for the Cultural Heritage Antiquities Protection Department in the Greek police. He accessed millions of pieces of data and created his own Risk Assessment framework. A tool for law enforcement agents, archaeologists and members of the public to use because of its applicability to CH sites. The risk assessment tries to quantify the threats CH sites are facing, and the intent is to do something similar for underwater sites. This a step forward because Harrison believes that a lot of police data on CP crime is poor because the policing has been of a lower standard in this area, understandably because the practicalities are immense.

The police are few and the area they need to cover is so vast that they struggle to act as a deterrent. Regardless of how well trained or armed a police officer may be, if a criminal thinks there is little chance of being caught then there is no deterrent. Vasiliou has noted that the Greek police have made a lot of arrests in the Greek islands, which may be an indicator of success, and with periods in jail lasting up to 20 years she is surprised that people are not more afraid of the police. However, Beltramo quotes Corrado Cortesi, the coordinator of the INTERPOL art squad, who said that most police officers are not prepared or trained in CH, it is a weak point, and how can one protect something one does not know. There have been successes and failures but the amount of CP crime is increasing and something must change.

5.2.3 Carabinieri

Pasolini says, given the complexity of CP crime, INTERPOL has been encouraging all its member countries to create, or maintain, a specialised police unit solely dedicated to CH crimes, as well as a specialised database directly linked to INTERPOL's one. The importance of law enforcement units specialised in CPP are a regular feature of the interviews but, as with the LR, none stand out as much as the Carabinieri Tutela Patrimonio Culturale (TPC) or the 'Carabinieri Unit for the Safeguard of the Artistic Patrimony'. They are considered world leaders in the field of CH/P crime and regularly train other nations. Bruno says the TPC were founded in the 1960s because illegal excavations, looting, and trafficking were massively increasing. It investigates theft and any illegal activities committed against the arts and archaeology. There are over 300 officers and although mainly focussed on land initially there is now an underwater

capability, that was initiated in Sicily. The Carabinieri work with police forces, the Guarda di Financia, the Italian military and the general public to fight CH crime. Pasi also includes INTERPOL and Italian embassies around the world as collaborative organisations because Italian heritage is global.

Fourni emphasises the important difference between standard law enforcement and specialised units. It is these specialist units that can link in better to the heritage world, because law enforcement officers cannot know everything about cultural objects themselves but do need to know the different protocols for monitoring the art market and monitoring the archaeological sites. Collaboration between specialist units and CH experts is key. Errani says that in Italy, one calls the Carabinieri about CH crime and the local superintendent about CH matters and that keeps the expertise focussed on what matters to them.[60] Carter describes how the Carabinieri do a lot of research, even on private properties and check online traffic because it is the new way to sell. This gives them data and knowledge to inform their thinking. Pasi also reveals the unit curates a semestral bulletin called the "The Service for the Rescue of Stolen Works of Art", where pictures of the stolen goods are published, along with vital information to help locate the goods. The bulletin is distributed by customs and police and it is sent, free of charge, to anyone who requests a copy and who has been verified as invested in the arts. This and their successes[61] has marked them out as a leader in the field.

5.2.4 Military

The challenge for the military is deciding on what is the appropriate role for them to carry out, relative to their experience and skill set. Although the public may believe the military has a constabulary role around the globe, a policing function does not always sit well with many nation's militaries. Lefevre is blunt in his assessment that CP trafficking is not a military mission, he states:

> 'The fight against illicit trafficking is not a
> military mission because, first and
> foremost, a military mission is to fight an

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[60] Pasi also points out that the responsibility for the protection of the CH falls upon the superintendency of the Ministry of the Culture of the Italian Republic. Superintendencies are structured by province, so that the national territory is fully covered. The superintendent is the head of each superintendency, who is responsible for the safeguarding of CH and the cultural landscapes of a specific territory.

[61] Since 1970, 134,614 pieces of CP have been retrieved out of 438,729 stolen goods. The unit arrested 2,639 people and pressed charges against 7,042.

enemy. And cultural property is not an
enemy, normally, if you live in a
democracy, it is not an enemy.'

Speaking of the UK's Royal Navy Collins says that it is very much a strategic force with very specific operational taskings, none of which would focus on CPP, which would be viewed as a policing function. However, this does not mean that the military does not have a role. The ability to work alongside national or specialised police forces, maintaining clear delineation between roles provides a key enabler for law enforcement.

Reynolds recalls that he has experienced differing attitudes between the UK and US militaries believing that initially at least, the US were more open to considering it as a problem. This may be due to larger resources and funding allowing US military leadership to take more of an interest in broader activities. Harrison sees military involvement as a matter of financial resource, and thus prohibitive. Which is certainly the case in the UK. Lefevre, speaking about the French military, says that a way to circumnavigate military commanders disinterest is to highlight the areas that matter to them and produce the links to CP. For instance, a well-funded enemy will fight longer and harder and CP trafficking can be a major source of funding, therefore the military stopping trafficking can reduce enemy funds, and their will to fight. However, Stevens makes an incisive judgment that historically the biggest problem has been the heritage sector failing to engage with military appropriately, both in terms of language and purpose. This disconnect slowed down UK military involvement in CPP because although on a personal level people were engaged, they could not see how it was part of their job. Initially the UK saw CPP as a tri-service[62] issue but have since concentrated on the army only. This does not say much for their attitude towards maritime CH and maritime crime. According to Lefevre, the French see CPP as an army lead because there are 500,000 registered terrestrial cultural sites compared to 5000 registered underwater cultural sites, therefore it is natural for the army to take the lead. However, the UK is still massively dependent upon the sea, and HC54 emphasises the need for tri-service activity.

Outside of operations there is plenty of military activity regarding CPP. Vasiliou says that in Greece the Department of Underwater Antiquities has responsibility for all ancient structures and provide permits for diving, but shipwrecks from the 19th century onwards are the responsibility of the Greek navy and they provide the permits. Parra says Spain's

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[62] A unit made up of members of the Royal Navy, British Army and Royal Air Force.

navy also plays an important part in underwater archaeology. Rather than having a cadre of underwater archaeologists they have trained the military divers to become quasi-archaeologists capable of carrying out the fundamentals of underwater archaeology. In addition, the only underwater research vessel is a military one so if the national museum wants to do something they have to work with the military. Basha says the Lebanese Armed Forces (LAF) have never caused any real damage to archaeological sites because the LAF is not an expeditionary force, it is a security force; it is the army of the people for the people. Therefore, they take their take their responsibility to protect CH sites seriously and so there have been very few cases of LAF destroying a CH site, unless out of military necessity.

5.2.5 Specialised CPP Military Units

The establishment of the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict (HC54), and its two protocols, is essentially why the UK CPPU exists, and according to Collins the relationship and dialogue between the CPPU and military commanders, enables them to allow the UK to fulfil those obligations. Collins explains why having a CPP officer matters:

'Firstly, you're adhering to your obligations under the Hague Convention, so you're bringing legitimacy to your military activities because you're compliant with international norms that that you've signed up to, so you're protecting yourself, you're protecting the heritage in the region you're operating in, so you're preserving good relations with all sectors of your host community, or even the belligerent community with whom only a small percentage are the armed force. You've got to work and get on with the community. So you are potentially assuring yourself of an even easier ride. If you approached the return to normality phase, or the reconstruction phase, your moral assurance for your activities is going to be

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stronger. And you'll find, and it will be easier for you to defend yourself against possibly spurious claims with respect to cultural property damage. If you have an existing formalised, trained, developed system that ensures its protection in the planning of the operations, and the delivery of the operation, and indeed, at the stage afterwards, and Hague Convention is very good about this. It is not just about turning up and saying, right, don't point the gun there because there's a church, there's a whole process that starts way before anything happens. It's the campaign planning stage, where you're building relationships and dialogue with those who are interested in that sector or that geographical area, so you start to understand and know who their cultural property community is, who's in that community. You might even be talking to them.'

Russell also sees the value of CPPUs as demonstrations of intent by governments, and good for awareness raising of the problem and ways to fix it. Bruno says that in Italy there is a reserve military personnel programme that can call up people who are already experts in the CH sector. They are using these civilian experts in a military capacity to improve their processes and information gathering. Lefevre also from experience says that being able to transcend both the military and heritage sector as a CPP officer is vital to build understanding and trust.

Perhaps the most effective way that military CPP units can have an impact is simply by being part of the discussion. No one agency or organisation can halt the destruction of CP and the military are an important arm of government influence. Its ability to collect information and share it can be quite unique and its global reach sets it aside from most national police forces. Where control must be maintained is the fine line between military operations and police work, the military can assist police work, but it cannot do police work.

5.2.6 Customs

Customs officials are some of the most important actors in the fight against CP trafficking, especially when it is transnational. Eales recognises that the WCO[63] is very helpful in providing support and statistics but they do not do any policing, and at the end of the day it comes down to national customs officers and how they perform. He picks out the French as being extremely effective in CPP, mainly because they do not want to lose their own CP. Italy, he says, have the same zeal, but if one knows the right person to bribe, all the good work of the others is undone. Similarly, Markovic has an interesting observation that it is about the individual worker, and the vast majority are underpaid and under-motivated and will have the same job for 30-50 years so accepting bribes or not diligently conducting one's job is the norm, and outsiders will not be able to change that attitude. Russell thinks that the vast array of items customs officials need to look for makes their job hard but there should be some stronger requirements for what to look out for in terms of CH and beyond the ICOM Red Lists[64]. Ghaffari thinks the first step to police, customs and border control is to give the right equipment such as scanners to speed up and improve searches. Secondly, improved training demonstrating how CP trafficking is part of the bigger picture. This should lead to better tactics on discovering trafficked CP and the people doing it. And finally, keep them updated on what the most sought-after items are at any one time and then if it or they are found it can be communicated to the right people. This is what Pasolini is arguing that INTERPOL ID-Art will do.

5.3 Summary

Law enforcement is in an unwelcome position where, due to a lack of training, resources and funding it is trying to provide a physical deterrent and a reaction force when in general there is a lack of interest and will. There are multiple organisations and an increasing amount of specialist units focused on CPP, the task is now to focus those forces to the pinch points where they will have the most success. Law enforcement is a major part of the solution but it is not the only part, therefore identifying partners to work with is crucial.

However, regardless of success, there is still not enough done to combat CH/P destruction. Intelligence obtained at the tactical level rarely directs or guides thinking at

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[63] No one from the WCO would agree to be interviewed.
[64] https://icom.museum/en/red-lists/

the strategic level. The vast majority of underwater looting will happen as a result of local knowledge at locations that are not well known to either the general public or academics. If law enforcement does not have local presence then a lot of intelligence-gathering opportunities could be missed.

CHAPTER 6: THE CIVILIAN RESPONSE

6.1 EVALUATION

Evaluating the civilian response is difficult as it is not cohered, not necessarily answerable to anyone, and it is normally driven by individual passion rather than institutional remit. The 'civilian response' is a catch-all for anything not covered by the 'law enforcement' response but one cannot discuss combatting CH/P destruction in the Mediterranean, or anywhere else, without considering legislation, national governments and a range of civilian organisations that are involved. The positives include the range of actors at the international, national, regional and local level that are willing to work towards solutions, on the down side very little effort is being cohered and in many cases, the civilian actors do not communicate, either through choice or lack of awareness. This chapter will provide an overview of the situation but not gauge success because there is no metric with which to measure so many organisations working independently.

6.2 NATIONAL GOVERNMENTS

If the government of a country does not take an interest in a subject then nothing positive will happen. A lack of government involvement in CPP leaves CH at risk of destruction and exploitation. This tends to hinge on setting up a legal framework and funding methodologies to uphold that framework. Reed says there are plenty of civilian stakeholders who can have a role but it starts with whichever government department is responsible for heritage, who will take the lead by establishing a legal framework. Smith has a long running fear that governments might want to leave it to the museums and museums might expect the government to act and the result is nothing happens. This lack vacuum of control allows exploitation of the situation that people at the operational and tactical level can do nothing about. Gower says:

> 'In the case of the UK, the government must streamline the law so that responsibility is clear and resource is allocated to protecting and understanding underwater CH. The UK may not be part of the Mediterranean but the concept is widely applicable. If the legislation is not fit for purpose then the

strategic   level   is   failing   in   its   responsibilities.'

Legislation may be implemented by law enforcement but the responsibility for its creation it definitely the remit of the civilian sector (allowing for input from a range of interested experts). The legislation is the overarching tool with which to combat any form of CH/P destruction. Potentially CPP legislation is not fit for purpose, possibly due to the transnational nature of CP crime and conflict, and other threats like climate change being considered global issues rather than regional or national.

Fourni says you need to establish some good practices in the framework of the fight against illicit trafficking, and formulate a recommendation for the European Commission. This European approach is interesting because a pan-European approach would aid the fight against criminals within the EU, but in the case of the Mediterranean how will it help North Africa or the Middle East, and in the case of Europe, how much impact would it have on Switzerland, a major transit country, or the UK post-Brexit as a major market country. On a national level, Bruno believes that punishments in Italy are not severe enough to put people off committing these types of crimes and until they are increased it will continue to happen. If CH protection laws are not a deterrent then it makes it very hard for anyone to enforce those laws at the operational or tactical level. And if there is no chance of an arrest then law enforcement may focus on crimes where there is more success. Markovic points out that convictions will remain elusive as long as people can say they did not know they were doing anything wrong and get away with it. This is applicable in many Mediterranean and European countries.

Russell thinks the Hague Convention's broad criteria[65] are both a help and a hindrance. Its broadness allows flexibility in how it is applied and adds a timelessness that is not found in the UNESCO 1970 convention[66], that relies heavily on items that a country has already designated as culturally important. However, importantly, the state has to recognise the CH within its borders. Which might seem obvious to some but in the case of Nagorno Karabakh, to protect Armenian heritage, one has to rely on Azerbaijan saying that Armenian CH is national CH. This is because it exists in their territory, but as it stands, they do not recognise it, they say it is Albanian CH. Therefore

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[65] This is legislation predominantly focused on conflict.
[66] Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property urges States Parties to take measures to prohibit and prevent the illicit trafficking of CP.

legally it is incredibly difficult to implement. On the other hand, this broad approach can encompass too much culture as designated CH and that leaves it open to abuse because where is the line that actually defines what CP is to all people. This lack of clarity may lead to people exploiting the law for purposes that are nothing to do with culture, but may be political or militaristic. Knight also points out that Israel is the country in the MENA region that has a licenced trade in antiquities and it has not signed up to the 1970 UNESCO convention which means it has become a blackhole for objects coming from other parts of the North Africa and the Levant, because they could get laundered in Israel, and then go off to be sold as legally available material. This shows that even one country not signing up to an international convention can undo any good work done by other countries.

Pasi says the Italian CH situation has driven changes out of necessity. Since the 1980s some of the most advanced laws in the world have been developed to safeguard CH. The Italian constitution, he continues, guarantees the safeguarding of Italian CH in its fundamental principles, Article 9 of the constitution states: 'The Republic promotes the development of our culture and of scientific and technical research. It protects the landscape and the cultural heritage and the art of the Nation'. Furthermore, a series of regulatory interventions have been issued to further increase the security of Italian patrimony. Although the state alone has the power to draft the main legislation, which all the regions have to follow, all of the regions can adjust them in order to better protect their territory. This shows a degree of flexibility that maybe international legislation cannot match. Further to Bruno's concerns, Pasi goes on to say that for the last few years, the Italian parliament has been drafting a measure which harshens punishments for criminals responsible for damage to CP and the CH landscapes of Italy. This measure intends to define the regulations of criminal convictions and to pursue the following objectives:

- To reinforce penalties against non-authorised acts on CH;
- To contest more effectively the illegal export of art in foreign countries and to contest the violations of archaeological research made by metal detectors;
- To harshen penalties for art forgery;
- To optimise the application of penalties;

If enacted these suggest a number of improvements and highlights where Italy sees the risks. Firstly, there is a risk that is not conflict or crime-related, secondly there is a continual risk from the market and members of the public, thirdly that art forgery is and

will be a problem and fourthly, and perhaps most importantly, that Italy has to be better at attaining successful prosecutions.

Carter believes France is at the leading edge of stopping underwater looting and trafficking. They are willing to fund it well and have developed a very strong national underwater archaeology directorate which has invested in several research vessels and robotics. France has the largest maritime territory out all European countries (French Government, 2023) because they actually have all the territory off Madagascar and all the little islands that are still considered French so it is a capability that has far reach and broad experience. Beltramo says that there is legislation in place by the Greek government to protect shipwrecks but in the case of a business like a cable-laying company they do not know where the underwater CH is, so they will lay the cable in the manner that best suits them which could be destructive. This civilian aspect is a continual issue and it would be hard for a heritage organisation to lobby against laying power or communication cables. Pasi is clear that the only way to assure the protection of underwater sites would be to adopt the directives established in the Montego Bay Convention on the 10th of December 1982. Guidelines for the safeguarding of the patrimony under the sea have been established throughout several conventions in which it was agreed that the need for transparent and efficient legal instruments, and cooperation amongst states to produce a map of all the sites to be safeguarded[67]. Co-operation is key requirement but again it is hard to believe that a starving farmer in North Africa sees the importance of a United Nations Convention in a similar way. Pasi continues:

> 'To understand the objectives of the different nations, it is important to cite article 149 of the Convention, which states: "All objects of an archaeological and historical nature found in an area shall be preserved or disposed of for the benefit of mankind as a whole, particular regard being paid to the preferential rights of the State or country of origin, or the State of cultural origin, or the State of historical and archaeological origin."

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[67] Even from fishermen's nets.

If this was adhered to and implemented then Pasi believes this alone would be enough to ensure protection for 50% of CH. This raises an interesting debate, does new legislation need to be enacted or is what already exists suitable, it simply is not implemented with vigour and consistency. The challenge remains that until unified approaches are taken by nations, by governments, by agencies, and the recognition for of CP crime as a dangerous and prolific part of organised crime there will be no comprehensive approach to stopping the destruction.

6.3 THE EUROPEAN UNION (EU)

The EU as an organisation has an interest in a stable and functioning Mediterranean region, but as an organisation it is not responsible for the Mediterranean region. It has provided funding for a number of projects and must be referenced more for its soft power approach than anything to do with law enforcement. This is an important aspect though, forming a broader and more comprehensive approach to the CH/P destruction problem. It would appear the EU are fully aware of their responsibilities, even if they are not requirements. Pasi references an example from the EU, the Euromed Heritage programme, which facilitates talks between countries located on the south coast of the Mediterranean and international investors interested in funding either restoration works, preservation, or the promotion of their CH. One of these initiatives was called 'Adopt Mediterranean Cultural Patrimony'. Italy is at the forefront of this initiative which is concerned with the CH of all the Mediterranean partners of the EU[68]. The intention is to build constructive collaboration between the public and private sectors guarantees the safeguarding of CP, and it also contributes to the economic development of MENA region countries. Fourni took part in the successful Nature Horizon 2020 Project founded by the European Commission which sought to establish a network of specialists in CH protection, and other CH practitioners such as archaeologists, museum curators, law enforcement officers and people from culture ministries. Markovic set up the Underwater Cultural Heritage Unit within Malta's government after completing a massive EU project to establish the diving industry and set out conditions for protecting underwater CH[69]. Errani knows of an EU project that funded a set of underwater cameras on underwater CH sites not just for protection but so that the general public, most of whom do not dive, could actually see the underwater CH sites

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[68] Israel, Turkey, Jordan, Syria, Lebanon, Egypt, Algeria, Morocco, Tunisia
[69] It was implemented in Jan 2021.

from dry land, but still have that sense of excitement. In the three geographical areas selected it was noted there was a marked increase in tourism.

These examples demonstrate how effective EU funding can be both for European programmes and MENA region partnership programmes. As long as there is a common goal then a positive and inclusive approach can be taken. The only problem is that some programmes are given a shelf-life from the beginning, so although a lot of effort and intelligence can be applied to the problem, it may only last for two or three years before the funding is terminated. When dealing with local communities longevity in terms of presence and outputs is key in terms of relationship-building and development. People are more likely to engage if they think there will be tangible and worthwhile effects for their communities.

6.4 INTERNATIONAL INTERGOVERNMENTAL ORGANISATIONS – UNESCO

UNESCO is undoubtedly the global lead for the protection of CH, but a divisive organisation in terms of how effective it is perceived to be. It is worth noting that there is no other organisation in existence that can do what it does, or has the presence at the strategic level, but the debate over how much positive impact it has continues.

Reed says that there is definitely an appetite for UNESCO to take the lead, make wise decisions and be respected for doing that but they are just not there yet, especially in terms of underwater heritage. He sees UNESCO as a platform for discussion and highlighting issues but not necessarily doing anything about those issues. Markovic believes there is simply no real interest in doing much from a UNESCO point of view. He says Paris is too remote to a lot of the places where CH crime is happening and there is little interest in places like Montenegro compared to Egypt, Greece or Syria which are much more in the public eye. Therefore, what purpose does UNESCO serve in these situations. He also compares UNESCO to INTERPOL and says that bureaucracy slows everything down. This is a common theme in any organisation and quite often comes down to budgets and how quickly funds can be allocated to projects. As a rule, the bigger the organisation the bigger the bureaucracy and the slower it is to move. Abbott views UNESCO as more a diplomatic machine that has a role in building awareness of CP crime, but their focal point is limited when it comes to assisting with claims and restitutions, compared to capacity building and awareness raising. From experience working in many multi-national military headquarters the fear of upsetting member nations is a constant constraint in terms of activity, but without representation from all these member nations one can lose the legitimacy for one's objectives.

Knight believes there are not enough tangible outcomes at the local level for UNESCO to be relevant to a lot of people, so they would be better off working with their local communities and their local law enforcement and their local policy makers to decide how to protect their local landscapes or their ecological objects, because UNESCO will not help them do that. However, UNESCO does have offices around the world, mainly training people and raising awareness of problems. Basha was positive about the UNESCO campaign '*Civilisation is Not for Sale*' that she witnessed in her native Beirut. Smith agreed thinking the methods used to display the heritage, museum-style display cases and academic write ups underlined the seriousness of the campaign.

Figure 2 Counter-antiquities trafficking poster, Beirut Airport

Figure 3 Beirut Airport display to raise awareness amongst Lebanese people.

These photos were taken by the researcher while working in Beirut. The first image of the poster was replicated multiple times around the airport check-in area thus highly visible for anyone arriving. The UNESCO Beirut Office is also referenced on the bottom left of the poster along with the government ministry. This photo is of an English language poster but there was more with French and Arabic as seen in the second photo's display cabinet caption. This image demonstrates one of the examples of displaying 'stolen' antiquities, as Smith said, in a manner similar to a museum to provide some context.

On another positive note, Ghaffari sees the true benefit of UNESCO as a co-ordinator of knowledge and training, and the organisation that can bring together many others like INTERPOL or the WCO to share best practice. However, an ongoing issue has been the enforcement of the 2001 UNESCO Convention for Underwater Cultural Heritage. Gower says the biggest step towards the protection of underwater CH will be nation states becoming signatories to this UNESCO Convention and although many have, others like the UK are afraid of the responsibilities that becoming a state party will have on what is an extensive portfolio of national and international shipwrecks.

Robinson laments that a lack of knowledge and understanding by the UK team responsible for signing up to the Convention led to misunderstandings and delays in implementation. Spatas points out that Greece [another country with a long coastline and multiple islands] has not ratified the convention either. Blame for these issues does not lie necessarily at UNESCO's door, but with national governments, but one wonders how much pressure UNESCO applies to member states to sign up, and if it does not apply pressure is it really doing what it should. Beltramo said that UNESCO blamed the withdrawal of the US from the treaty as a reason it was not succeeding but believes that it is actually the mismanagement of the UNESCO budget by UNESCO that has rendered it ineffective. Now that the US has rejoined (Lee, 2023) it will be interesting to monitor UNESCO's progress.

6.6 Non-governmental Organisations (NGOs)

There is no doubting the importance NGOs can play in the protection of CP as they can in many other important issues such as human trafficking, but is also about understanding what specifically their role is. Harrison believes their two main functions are research and training because those aspects are achievable with little funding, whereas large scale projects require far more in terms of time, resource and money. These activities could feed intelligence to police forces making them more effective and expand the CPP global network. Markovic recognises the importance of NGOs and believes their main role should be to find mechanisms to influence the system and its institutions, to work towards implementation of a system or to tune up a system to be more functional. He has seen that low pay and a lack of motivation for government workers in Montenegro has led to disengagement with their work and loopholes for the exploitation of CP. He believes that NGOs can bridge the gap in skills but also be used to motivate workers about the importance of their CH. Russell thinks that continual NGO-led awareness campaigns are important to highlight the risks of CH destruction, illicit trafficking and issues within the market place, but not to attack the market or attempt to terminate its existence. What is currently gapped is the role of an NGO to act as a middleperson between different organisations and institutions. Notably, no solution to combatting CH/P destruction will be complete without the input and activities of NGOs focused on the heritage sector.

Ghaffari talks about where the NGO originates and whether it is well funded and Western or badly funded and local and what are the ramifications of that. He sees both being driven by passion but believes more impact would be achieved if Western NGOs

supported local NGOs. Fourni sees the main benefit of NGOs being that they operate at the local level and in this position they can raise awareness of the problem, act as brokers between other organisations, understand the desires of the local population and ultimately, be the longevity in an area thus forming some kind of management system. She believes one of the main contributions an active local NGO can make is informing law enforcement and maintaining data analysis of what activities are taking place.

NGOs can also provide the specialist skills and focus on particular areas bringing deep knowledge to assist law enforcement or the military who may have a broad knowledge of a subject or area. Reed points out how an organisation like Maritime Archaeology Sea Trust (MAST) fills current gaps in maritime archaeology. Practically they run their own excavations and conservation lab, but additionally they conduct advocacy lobbying governments for protection and highlighting issues. This is a key area where the government and NGOs interlink and why it is such a symbiotic relationship. In addition, he says they run a side venture in partnership with a company called Ocean Mind, which is called the Maritime Observatory and its purpose is the protection of underwater sites using satellites[70]. Nigel Bright, a maritime expert, says OceanMind[71] use technology to monitor and react to threats in fishery while also building an intelligence-led appreciation of the environment. He describes how they use satellites and Artificial Intelligence to build understanding:

> 'They analyse satellite data, and vessel
> tracking data using Artificial Intelligence to
> understand where fishing happens. And
> with that information, they can help inform
> authorities of goings on in their waters,
> how that affects their regulations,
> suspected non-compliance, that then helps
> them to understand how to enforce against
> that non-compliance more effectively. The
> key point is that there is far too much data
> out there for any human to analyse to
> understand what's happening on the
> ocean. Hence, they have developed

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[70] It will track ships and their activity over submerged objects.
[71] OceanMind is a non-profit, action-oriented organisation helping authorities to enforce marine regulations more effectively.

Artificial Intelligence algorithms that help us understand what is happening, so they can then focus the human effort, the expertise on those things that matter the most. Initially focusing on fisheries, now with MAST, on underwater cultural heritage as well.'

The process of informing the authorities is done through pre-determined channels. The appropriate official will be informed via email or a PDF circular that contains the detail not only on what has been discovered but also on a recommended course of action. He goes on to explain that they also use more standard forms of technology to great effect:

'They also use information like radio frequency detection, this entails listening for the emanation of radio signals reaching out from the planet. This might be a radar device or a radio broadcast, which allows the satellite vendors to pinpoint where vessels might be when no other information is available. This means you have a vast amount of information about things that are happening on the surface of the ocean, but very little context within which you can understand what's supposed to be happening, and what needs further attention. Thus they developed algorithms that help filter out unneeded information and focus down on those things that matter, so that their team of expert analysts are able to pinpoint the exact vessel that is causing a problem or needs further investigation. These algorithms take different parts of the data source and they classify them so that you can understand what's happening at any point in time.'

This example of OceanMind and MAST coming together to form the Maritime Observatory and share ideas and resources is a prime example of intelligent collaboration having a positive effect. In the end, NGOs are in danger of losing effectiveness because they too do not talk to each other enough, however, their specialist knowledge and skills make them an important factor in CPP.

There are a growing number of heritage organisations but the global NGO predominantly responsible for CPP is Blue Shield International (BSI). Although not a large NGO, it oversees a number of national committees around the world[72], and that list is growing. The President of BSI discusses the need for the triangle of military, heritage sector and humanitarian sector as they all want to achieve the same end result; healthy, peaceful, stable, sustainable communities, because with those communities you get a healthy, stable society and population. The space within the triangle is the safe space where anyone can ask questions and that is administered by BSI. However, he says that leadership must come from the top, in the UK's case it is the Department for Culture, Media and Sport (DCMS), but in many cases it is the national museum, and they are very internally focussed and lack funding for any kind of outreach. This is an area NGOs can support with their skill sets and effort. The important issue is to ensure that NGOs are not replicating work in attempts to fix a problem that is close to completion, or completed by another NGO, or indeed government institution like the military. However, as Bruno points out, BSI is very small compared to other NGOs that make up the triangle like the humanitarian sector so it may mean CH/P is automatically reduced in importance. Parra reveals that she, as a previous liaison between ICOM and Blue Shield, was trying to build a relationship that simply was not there before. ICOM, as the producers of the Red Lists are a natural partner for BSI. Red Lists contain the categories of cultural objects that can be most at risk of theft and trafficking and exist to help individuals, organisations and authorities, such as police or customs officials, identify objects at risk and prevent them from being illegally sold or exported. They are available in PDF format and are readily accessible from the ICOM website and are divided by country. This division by country also raises an interesting point about Blue Shield membership. There are two surprising omissions from the list of national committees in Italy and Greece, two countries with a lot to lose. Abbott points out that how individual countries interpret the role of their national NGO also can cause divergence in effort, the Blue Shield US especially, is very militarised. That does not mean it is off putting, potentially there are already larger and more influential NGOs caring for heritage in Italy and Greece because, out of necessity, they

[72] The researcher is a Trustee at Blue Shield UK.

have had to develop quickly. Basha sees the main purpose of Blue Shield as a forum for training because she, as an archaeologist, has witnessed the positive impact of that CH protection training during and after conflict. Russell agrees, believing that educating people on what the international conventions are, particularly around the Hague Convention and UNESCO 1970 is incredibly important. Blue Shield needs to target countries that are at risk of conflict, or in post-conflict, and teach topics like best practice for preventing illicit trafficking. She sees a future growth area of training as CH first aid, how to quickly recover, assemble and extract the most important items of CH during a crisis. This is also an area where CPP military units are focusing on. Bruno also sees the future of Western CPP NGOs as having deployable teams of specialists that can troubleshoot specific problems. He says the ability to transcend multiple disciplines such as academia and the military and police is key.

6.6 LOCAL NGOs

BILADI is a prime example of a local NGO ran by local people in Lebanon but influenced by Western thoughts and guidance. BILADI was established in 2005 after a visit to Europe demonstrated first-hand the education heritage programmes being run. These experiences and multiple experiences in warzones in Lebanon, Iraq and Syria led to the realisation of the importance of safeguarding CH/P through specialised heritage education. Now it operates with two aims, in the short-term, to focus on safeguarding CP in times of crisis, and in the long-term, running of education programmes. It focuses on Lebanon but also Syrian refugees in Lebanon and uses heritage as a positive influencer.

Knight says there are some really good NGOs in Jordan, like the Petra National Trust, which works with the Department of Antiquities. Both have set up a lot of outreach programmes for local communities, and they conduct very robust programmes that engage local populations, because they have found over time that unless one can get local buy-in, there is no way to protect one's landscapes, because looted antiquities are always going to be in demand and as a result there are people who will meet that demand. The Petra National Trust also hosts a number of workshops for young people between the ages 8-18 on why looting matters, because they have discovered that a lot of looters are quite young. There are a series of robust training programmes for these 'Junior Rangers', where they have three-day workshops to develop understanding as to why their heritage matters.

If one does not have local engagement and buy-in, then it is very hard to protect objects and landscapes in any part of the Mediterranean. Local NGOs may also be run by local people and thus already integrated into an area and the local population may be working or volunteering for it. This means it is a lot easier to influence communities on an ongoing basis than an international NGO coming in to a community suddenly. This could of course be different during a time of crisis when all help is welcomed.

6.7 CIVIL SOCIETY ORGANISATIONS (CSOs)

According to the UN CSOs are non-State, not-for-profit, voluntary entities formed by people in the social sphere that are separate from the State and the market (UNGP, undated). This is an important element that CSOs are addressing within the CP world, the separation from the market enables them to challenge business with its financial strength because the CSO is not dependent upon the market for survival. As discussed, the market is a key actor in the CP world and so organisations that are not influenced by it for survival provide a critical eye to monitor it.

Perhaps the best known CSO in the CP world is ARCA. This CSO was founded in Italy by art crime experts from America and runs a postgraduate course in Tuscany each year. Attendees come from all over the world and speakers are a range of law enforcement, academics, heritage professionals and CPP specialists. ARCA's success is attributed to being sustainable and thus having longevity. The longevity allows people to get to know the actors in the CP criminal world and build relationships with other people trying to stop it. ARCA also runs a series of online courses that have a wide variety of attendees from students to law enforcement to professionals in heritage and insurance. This key enabler for education and training is a vital arm in raising awareness about the threat of CP destruction, as well as acting as a node for bringing together different expertise. ARCA is quite unique and has an evolving social media presence, but there are also a number of CH journals being published that raise awareness as well, such as the Journal of Cultural Heritage Crime. These publications may be new (last 5 years) but they add another level of awareness at the academic level. Beltramo thinks this is a useful step in information sharing because the public knowing about the problem is not enough, people need to be able to study it to come up with solutions.

6.8 PROFESSIONAL GROUPS

Professionals in this context include archaeologists, private enterprise, auctions, lawyers, and museum workers. All these sectors interlink with the CP world and are important sectors which influence every aspect of CPP.

Archaeologists play a key role as intermediaries and the people actually working on the sites and spending long periods of time in amongst local communities. Knight recognises the good work that archaeologists do but makes an interesting observation. She points out that there is a lot of community archaeology programmes, for example in Jordan, Israel and Palestine, where the archaeologists will now do engagement so that local people understand what archaeology is, because for a long time it was seen as a colonial enterprise. Sometimes the archaeologists take the artefacts with them, or sometimes they take them to Amman and the local community never really knows how archaeologists are any better than looters because they come in and they take the artefacts and leave. Vasiliou says in her own experience archaeologists are now trying to be more transparent to the local communities where they dig. Recently, on finishing an excavation they prepared a large presentation to sensitively engage the community and tell them about the finds and what it tells the community about their heritage. They allowed people to ask questions, touch artefacts and receive an invitation to get involved in future digs[73], and even get a boat ride out to the dive site to see how the dive teams work. She believes that it is about changing mentalities, from the locals one wants acceptance for what one is doing, and from the older generation of archaeologists one needs them to see that it is more than science, it is about human life. Knight also believes another route to transparency for archaeologists is to do more publishing in Arabic or Hebrew. Language is a key engagement tool.

Professional groups will always be sources of information. Knight says that in Jordan, if you receive a permit to excavate or do survey at a site, you are required at the end of your digging season to write a report, and that includes if there has been any looting, or site destruction for other reasons. This report is entered onto a centralised database called Omega J. The same is true in Israel, where the Anti-Theft Unit takes information from both looters that they have arrested and also archaeologists who have recorded site disturbances and looting.

Reed emphasises that mapping information of the underwater world is in great demand. Currently there is an initiative named Ocean Map 2030 that seeks to map

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[73] With the understanding that they were not divers or archaeologists but they did provide horsepower for work.

every inch of the underwater world and make it accessible to everybody. This has drawn support from a lot of big companies including pipeline companies dealing with oil and gas that are providing funding for the initiative, a prime example of commercial business supporting initiatives with wider benefits. Although highly useful it also poses considerable risk to CP if all the locations are revealed, and raises the question of who should have access to that information.

Davies thinks that close liaison with the diving community is key because they have an interest in visiting the underwater sites and maintaining the security of them because if items are taken the dives become less interesting. Pasolini also thinks that what some countries are proposing is to delegate their protection to scuba diving companies which means that these companies are allowed to dive in the proximity of the sites, but must protect them from looters. In Italy two courses have been set up to educate about underwater CH. The Italian navy run one in the Bay of Naples and the Italian Society for the Protection of Cultural Heritage runs a diving course specifically focused on underwater archaeology in Calabria. Both courses have the same goal, to educate about underwater CH, but both courses approach it in a different way, appealing to different people.

Towers argues that in the case of auction houses the compliance teams, although relatively new, are only going to get bigger. And in collaboration with companies like the Art Loss Register there is a big effort to record, confirm and assure provenance for art and antiquities in the market. He recognises the need to return as much Nazi-looted art as possible as quickly as possible but points out that huge amounts of art, either German or art stored in Germany, was taken back to Russia after the Soviet invasion. This issue is rarely addressed. Reed, who previously worked for the Classical Art Research Centre in Oxford, had a close relationship with the auction houses in London and was frequently consulted on objects going up for sale. He relates a story:

> 'Statues would turn up, always marble,
> always found in the eastern
> Mediterranean, claimed to be from a
> maritime site, possibly a shipwreck with no
> other provenance attached to it. It had
> come through various dealers before it
> reached the auction house. And in one
> case, we had a statue which had bounced
> around the market. It was a headless

statue of a Roman woman. But it had
acquired feet it did not originally have, and
a head which did not belong to it, which
made it into a boy. And it had been given a
maritime provenance, probably left in
water for a couple of years, and then
brought up slightly degraded and said 'this
is a boy from a shipwreck'. So we knew
that people, you could consider organised,
but organised enough to readily produce
things in the market, where you were
faking objects, or finding objects that were
probably real that may not have come from
maritime context, or generally finding
things from maritime contexts with no
provenance attached, and attempting to
market them for very large sums of money
in London.'

As a lawyer, Russell conducts training to help countries and markets focus on what to
look for, and how to record information. Russell says the biggest challenge for her is
dealing with the distrust between different stakeholders, whether she is her capacity as
a lawyer or working for an NGO. She thinks that if the heritage community would
recognise the concerns of the art and antiquities market then real progress could be
made. The status quo of one side wanting no change (the market) and one side
wanting a complete overhaul (the heritage community) falls to 'whichever side shouts
the loudest on the day'.

Museums play an important role in the networks of professionals in CPP. Eales worked
with the BM to identify a tomb that had been looted in Egypt and give him the
knowledge to go after the artefacts that had been stolen. The V&A launched the
Culture in Crisis portal to digitally network people involved in heritage protection
globally and has over 1000 heritage projects listed on it. Vasiliou says that in Greece,
the first underwater museum has opened. It is an ancient shipwreck off Forni, and now
the second project is in motion on the island of Leros, which was a very big military
base during the Second World War, with a lot of shipwrecks and aircraft, and even
submarines. Here too they have installed cameras, not just for safety and security, but
to open up the underwater sites to the public to get them engaged with their CH as a

way of maintaining them. Errani speaks about Mora Siracha where there are 200 Greek columns underwater which have been there for 2000 years and are too big and heavy to be removed but they have turned it into a tourist site. One does not need to be able to dive, just snorkel and swim but one can see the columns from the surface as they are six or five metre deep. Bruno also talks about 3D scanning of sites and how people could be able to virtually travel around an underwater site by moving an avatar around their screen which takes them to different locations around the site. One could add a soundtrack and measurements of the items on display.

6.9 Summary

The civilian response is vitally important to the overall commitment to protect CP. They are involved in every level of protection. At the strategic level they are the law makers and government workers who create the means and the legislation to protect CH. At the operational level, they launch campaigns that raise awareness and challenge the market and establishment. At the tactical level they are protecting sites, engaging communities, training and educating, and all the time building their own knowledge and awareness. Many are not paid but working through a sense of duty to CH and from passion. What is demonstrated by the Maritime Observatory is that there needs to be a sense of cohesion and avoidance of fratricide because with so much effort being put in, without cohesion the outcomes can be low, but when it works it has real effect. There is inherent risk from the civilian sector, whether it be competing missions, a lack of training, a lack of resources, much with the law enforcement sector, but the biggest risk from within the civilian sector is the market and that must be regulated. Every actor in the civilian world has a part to play and working alongside law enforcement they create a robust barrier that protects some CP, but they could do far more.

CHAPTER 7: MOVING TOWARDS A COURSE OF ACTION

It has been established that the complex Mediterranean environment has enabled a broad range of threats and risks, and despite valiant efforts by both law enforcement and a series of enthusiastic and motivated civilian actors the problem of CH/P destruction is alarmingly high and sustained. To challenge this problem effectively a number of actions must take place because it is not enough to understand the environment, recognise the risks and evaluate the current responses by law enforcement and civilians and not provide a solution to the problem. To conceive an appropriate solution one must understand what the response can look like, one must create the environment that will allow success and one must use the right people, at the right time, in the right way. These actions are not prioritised but need to be enacted persistently and thoroughly to ensure success. At the strategic level one must build understanding, have education strategies for as many as possible, and create awareness of the problem so that there is an appetite to fix it. At the operational level one must cohere one's efforts, develop a comprehensive plan, engage with stakeholders and stabilise the environment. At the tactical level one can introduce physical security measures and community engagement but also utilise data and implement many of the ideas that come out of the other two levels. Drawing on many of the comments of the interviewees this chapter will lay out a solution framework and may in some way define what CPP is.

7.1 CREATE AWARENESS

One cannot accuse people of not caring if they are not aware of the problem. CH/P destruction is occurring every day in every country but is not in the public psyche in the same way as war or drugs trafficking. Until people are aware of the problem and willing to act to protect CP the passionate few can have only a limited impact. Every activity by CPP activists should be viewed as an opportunity to raise awareness of an issue that many people simply do not view as a problem.

Fourni emphasises that awareness raising about the importance of CH must happen at different levels, and be targeted awareness raising for particular groups. Again this ties in to the theme of strategic, operational and tactical actors. Russell wants to see a massive TV and internet campaign to raise awareness of the problem, akin to previous campaigns relating to ivory or blood diamonds, and believes that internet providers, such as Google and Facebook, should display an awareness campaign because they

have the biggest reach[74]. Beltramo and Markovic also see that awareness, similar to what has happened with climate change, will bring about results, but people have to think it is relevant to them. Robinson believes underwater CH in general is undervalued at the policymaker level, especially in the UK, where they concentrate on human trafficking and climate change. In comparison to those two, underwater CH will always lose, but it should not be undervalued as a result.

Ghaffari wants more training in the MENA region to increase the scholarship about CH crime. He believes that these are the people on the ground and ultimately, they deal with these issues every day. In terms of schools, Errani states that awareness raising has to start in school to make it an issue young people care about, and not just Italian history, but regional history, to build local interest and pride. Secondly, she thinks targeting dive training schools and getting them to include an awareness module on underwater archaeology would help change some attitudes because most people do not want to cause damage to CH, they simply do not know better. Parra says she has been invited to talk on scuba diving courses to educate the dive leaders on how to treat the shipwrecks and why they matter and she received a very positive response. However, Abbott believes that now people look to medicine, science and technology as university courses and careers rather than the humanities and social sciences. This is creating a dearth in the amount of people coming into the heritage sector. Arguably, although there are not many well paid jobs in the heritage sector, there are jobs in pretty much every location which means there are opportunities in every location.

Government involvement and engagement is key for raising awareness too. Parra, speaking about Spain, says there was a law introduced in 1986 which said all CP could not remain in people's homes. Officials were dispatched to retrieve items but people resisted saying that their anchor, for example, had been in their home for two generations, long before the law was introduced, so they should not have to give it back, this created a lot of controversy. Initially the government wanted to take people to court to claim the CP but that would have been expensive so instead they conducted an awareness campaign teaching people that it was Spanish property and it belonged in a museum. In addition, they catalogued all the CP so at least the government knew what people had in their homes[75]. Errani says that keeping communication alive between local government, archaeologists, and construction companies is vital so that even if not everything can be excavated fully, one can build a map of sites and only if

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[74] After that, they need to clamp down on the groups selling antiquities online.
[75] And if one needed to conduct research on a particular object one could contact the owner.

there is a beautiful tomb for example, would one divert the road building or construction. The awareness of CH should already be there in people's minds so that CH would not be seen as a hindrance that gets in the way of people getting housing.

Law enforcement also has its issues. Markovic noted that colleagues within the heritage sector could not understand why he was implementing systems in Montenegro to train maritime institutions about the importance and value of CH. He sees the problem in practical terms, he says that there are no patrol boats to conduct the physical protection work so he suggested an awareness campaign for tourists and criminals alike to build the 'illusion of a system of protection', where publicly each of these institutions like the navy, the port police, the fisheries department, anyone with a duty to patrol the sea, should publicly declare that underwater CH is recognised as an asset of the country and is therefore protected, as a result 50% will not try anything and 50% may do something, but if by chance one catches even 1% of that 50% one uses the media to advertise that success to act as a further deterrence to the 49%. Carter thinks increasing the capacity of awareness raising and then training of counter looting and trafficking in the countries where the majority of looting occurs, predominantly because the data on looting in certain countries is poor so it is hard to know what the threats are.

Spatas argues that one cannot stop CH destruction, just eliminate it in part, or mitigate it. First, one must inform the public because according to the Greek law and according to the Valletta Convention, the main factor for the destruction of CP and increased amount of illicit trafficking of CH is that citizens are not educated about it. This should be a long-term scheme involving schools, universities, conservation departments and police authorities. He also says Greece has fifty officers combatting CH crime, so they need to be training other officers, certainly outside the big cities, and there must be special tailor-made training for customs officials. Finally, motivating citizens by enabling them and training them to create unique products for sale based upon their CH and sell them to tourists at festivals or on eBay to make money. All of these opportunities rely on people being aware of the problem and them being aware of potential solutions. Carter points out that a crucial organisation like OSCE[76] was not interested in CP trafficking until they hired a former FBI agent with an interest in archaeology and he wanted to set up training workshops to build interest from within. One hopes this is not the norm but if awareness within institutions that are fighting CP crime is low then there is no hope for a comprehensive response. In the military Collins emphasises that

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[76] No one from OCSE would agree to be interviewed.

CPPUs need to keep pushing the importance of the Hague Convention to build awareness in the top military ranks and that way they will understand the benefits and how to improve their mission. From experience, without interest from senior officers nothing will get done.

Ultimately, Basha thinks it is crucial to make the people more aware, because then they are going to reject the idea of its destruction. She states that it is not about the frequency of destruction, it is a question of damage. Once the damage is done, the consequences will last for decades. Thus, in order to safeguard CH everyone needs to be aware of its value, and also its fragility, and do not accept that the destruction is just part of its story.

7.2 BUILD UNDERSTANDING

In a military sense, understanding relates to the intelligence picture; what does it look like, what is going on and who is doing it. However, in this thesis 'understanding' encompasses all the issues that exacerbate the problem or fail to help fix it.

Stevens highlights some of the mistakes he made when he entered the world of CPP pointing out that language is crucial in providing a platform to share common objectives. Not necessarily the languages that are separated by national borders, but the different vernaculars used by different organisations, for example, the military and an NGO. It is this failure to communicate in ways that stakeholders can comprehend that can result in failure. Collins concurs adding that dealing with academics and archaeologists is useful but they must have an understanding of the military and how it works otherwise useful information is lost in the exchange.

Ghaffari, focused on the MENA region, says that the West needs to build its understanding of what North Africa requires from the North African point of view. This understanding could result in empowerment, knowledge-building and eventually new generations of CPP operators coming out of the MENA region, and that could change the whole dynamic. This would demonstrate a deeper understanding of the problem because the West cannot fix everyone's problems, it needs to empower others to fix their own problems.

From a heritage perspective, archaeologists and museums need to understand how to engage with people in the 21st century in an appropriate manner. Beltramo has witnessed mistakes made by archaeology field directors where they have made local diggers look for certain objects, this lack of understanding has resulted in detrimental

types of digging and the careless treatment of perceived 'less valuable' items. This misdirection could place the wrong kind of value on artefacts. What she noted at her level though, was that the workers really wanted to handle the objects, they wanted a tangible link with history, and that understanding is something that could be exploited. Beltramo also believes that young people are no longer being targeted in the correct way because people have lost the ability to understand what matters, that there is a perception that CH is boring and so are museums. It is important that that connection is rebuilt.

A continual issue to be addressed is funding as there will never be a time where decisions are not impacted by the available resources. Who sources funding and who gets to spend it will always be contentious but with a collaborative approach to ascertaining the best ways to spend that money one should achieve better results. Ghaffari identifies the biggest mistake the West can make is to believe that it knows better than the people living in the different countries that make up the North African coast. Potentially the best way to get funding to those that need it is to work with local NGOs, not necessarily writing a blank cheque but engaging early, even as a Western NGO, to make a positive impact. Ultimately, this should have a more positive impact and enhance community engagement with protection of their own CH. Stevens also points out that although most organisations have the same goal, to protect CP, a lack of understanding about how the different organisations can operate, what they can say, and what they can achieve will lead to frustration. This 'clarity of distinction' between what people did should be sacrosanct in terms of policy.

Collins notes that without building an understanding of the physical characteristics of a place no one will be able to operate within it. This could involve knowing the location of CH sites such as churches or museums but as Collins goes on to say, when operating at sea hundreds of miles of blue water is not a conducive operating area for maritime interdiction operations. Markovic agrees in principle and says you cannot stop trafficking of CP at sea, if you want to stop it at sea, you must stop it on land.

However, what the military can do is add to the overall intelligence picture. Davies, who works for a specialised military unit, is now collating monthly CH Intelligence Reports for the UK military. This raises the question over whether that intelligence could go further. Lefevre thinks that building liaison between organisations is the next step to developing a wider understanding. Eventually every discussion, every element of engagement will help build that understanding. It may not be tangible but hopefully it will lead to tangible outcomes. What must be emphasised is that there are many

nuances that can only be addressed by building a thorough understanding of the problem and failure to understand will lead to failure.

7.3 EDUCATION FOR EVERYONE

Education is the fundamental underpinning of everything that happens in society. It builds the foundation on which societies are built and forms a sense of identity. In terms of CPP, its benefits are massive; information reaches so many people more quickly if people receive education when they are young and it is far cheaper than having a massive task force of police or military tasked with protecting CH. If you educate one person but ask them to tell ten more people about what they know then knowledge will soon spread. There should be a concerted effort to educate governments, policy makers, law makers, law enforcement, populations from schools and universities up to the general public, and the market.

Beltramo agrees but believes what all countries are lacking is the mediation and the dialogue with everyday people and cultural institutions. She says that museums are very detached from modern-day societies and that younger generations are not involved in the cultural process. That is why there is no respect for history, or for shared heritage, therefore an important piece of work is to keep building the connection between schools and museums. Markovic also sees education as key, but one has to make it sustainable and accessible. He says you need mechanisms that form one rational system that can be implemented regardless of resources that will reach as many people as possible. Therefore, 3D technology can provide a lot of support because with 3D photogrammetry or multi-beam technology, one can take it on site, do the scan, then present it to a wide public audience and they can really see what the shipwreck looks like in its entirety. Then they can start to absorb the knowledge and start applying value to CH, and once they give it a value, they will understand why it is important to be protected. This could be an interesting step to start creating multiple virtual museum sites. In terms of educating people over underwater CH, Reed believes what is more effective and it is a slow process, is to educate people that artefacts are better on the seabed, and if not better on the seabed, they are better in a museum having been excavated under controlled scientific conditions. As a result one can remove the incentive to illegally recover artefacts because one has taught people that it is morally unacceptable, and legislatively unacceptable. People should believe it is easier and better to report something they find, rather than keep it. Additionally, in terms of good practice, Knight wants every foreign archaeologist to have a local

counterpart that they have to work with to train and develop the skills needed to be a good archaeologist.

There is also the matter of specialised police units and how much training they need and is there a balance between education and outside help. Beltramo says the best way to empower the Carabinieri is not having them attain degrees in CH, but developing their list of go-to experts. However, specialised units can also assist with training for standard law enforcement units increasing the capability. Police can also go beyond their normal training processes. Fourni says that new skills like using drones to scan sites for damage should be taught to police officers so that they are using the same technology as some of the looters.

7.4 ENGAGE AND COHERE

As discussed, there are so many actors in the CH/P world, on both sides of the law, and broad engagement between governments, institutions, organisations and agencies is key. Evidently to employ a comprehensive approach to CPP everyone who has an interest in protection must be part of the discussion. Fourni states that a CH management programme that is sustainable will engage schools and local communities and allow one to teach them about why they should care. There are different levels of teaching but even allowing them to handle objects and build that connection is important. This could be part of the solution to enhance archaeological sites and protect them, and develop a more comprehensive model of management. This is similar to suggestions previously made for engaging with local communities.

Russell says in terms of due diligence everything has to be looked at in context and looked at what people know now, not what people did 30-40 years ago, obviously people bought things without asking questions, that is a fact, and now you cannot do that. So engage with owners who may see their collections in a different context now. Markovic wants a proportionate response to the activity, he mentions a well-known collector of underwater CH who runs a diving school and retrieves items of CP as a hobby. This is a crime but Markovic argues that rather than arrest him and ruin his business, engage with him first, and get him to donate his items to a local museum. On two previous occasions this method has worked, and the two men in question became local heroes and it was a positive experience. He did a similar scheme in Malta where he set up an amnesty where the government asked people to bring in artefacts looted from underwater CH sites for an evaluation. If those artefacts were really of national, or international historical and cultural value, they would be kept by the state, with the

declaration that they are donated by that person, so the person becomes an 'angel'. Others with artefacts in less good condition got a certificate of appreciation.

A lot of activity is taking place and a lot of effort is being invested in CPP, however, it is questionable whether everything being done is cohered and as effective as it could be. Strong leadership is required to ensure that these efforts are beneficial and complementary. Undoubtedly, as the issue of cohered CPP in the Mediterranean has many facets it makes conformity problematic; national governments, regional interests, different religions and languages, and different levels or stability.

Beltramo thinks that UNESCO could take more of a lead coordinating efforts between different countries, and Bruno agrees with the concept of high-level coherence being important, believing interagency cooperation both nationally and internationally is the best way forward. Getting all the different actors together; border customs, insurance companies, the heritage aficionados and give information to whoever can actually do something with it. Harrison thinks that with proper funding the NGOs could play a role in generating the evidence for the agencies. Fourni also thinks that a lot of the information that researchers in CP crime are generating would be useful to law enforcement but there is no mechanism to share it.

Prevention is an important first step. Markovic says a system needs to be implemented regardless of the length of a country's coastline and using the VTS system to monitor vessels at sea, and if a vessel is in a priority zone, coordinate with the appropriate institutions, that can redirect their patrols, or sit over the site for a while until the threat has gone. He advises stakeholders to conduct training with all their institutions, at least once a year, or as often as it is necessary so people absorb the importance of CPP, and then the synergy of the institutions will have a positive impact. Knight also wants to see cooperation at the regional level amongst border control agents and people tasked with preventing the movement of artefacts, but she does not believe it will happen in the foreseeable future. Pasolini points out that law enforcement agencies with specialised police units are very efficient at fighting the illicit traffic, patrolling excavation sites and investigating crimes, what they need to do next is to establish these specialised units where they do not exist.

Blue Shield now has thirty national committees, with a membership that is 80-90% made up of people from the heritage sector in their respective countries, the other percentage is made up of observers from government departments and the military. Cohering all the knowledge, skills and experience of Blue Shield more generally could

make it a very powerful lobbying tool on the world stage, a movement rather than a selection of isolated entities.

Potentially, the digitisation or private and public collections, with the information stored in a secure law enforcement site, would be a major step in cohering efforts. Without shared intelligence it will be very hard for the required cohered response to take place. The quicker information can be put into effective action the quicker the impact of CPP strategies. Companies such as Sotera Heritage are looking at ways to use AI technology to aid that process of recording, tracking and tracing objects and making that information available to relevant organisations should it be required, such as heritage institutions and insurance companies that specialise in Fine Art and Specie. Its CEO declares:

> 'It is clear from our investigations that our AI-based tools that structure and analyse data are valuable in their own right to museums, collection managers, heritage organisations, and art and antiquities dealers. Using technology and data is about accuracy. The reality is that museums, even global institutions such as the British Museum, do not know what they have in their collections. Its digital archives include records for about half their collections (approximately 4.5 million items). This is no longer acceptable because when you don't know what you have you also don't know what might have been stolen, and consequently they are not adequately insured. The risk of looting and theft, the risks associated with people not knowing what is in their collections, and the overall lack of data, is why we started Sotera.'[77]

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[77] After the interview took place there were reports that a curator had been removing items from collections to sell privately, and subsequently the museum revealed plans to digitise its collections (Bailey, 2023).

Marczak talking about human trafficking thinks one of the biggest gaps amongst stakeholders is the lack of appreciation and understanding of the possibilities of technology, and how it is being used to conduct human trafficking, and how it can be used to address it. Subsequently one must share data but not just data focused solely on human trafficking, because it is interlinked with many issues, including CP.

Finally, Lefevre fears that the same people, talking about the same things is not moving solutions forward. Although he recognises that it is a passionate and motivated community no real progress is regularly made. The problem is not to convince themselves that something must be done, but to convince others outside the CPP community that something must be done. This is the final step to build momentum.

7.5 STABILISE THE ENVIRONMENT

Chapter 3 demonstrated how the conditions in many Mediterranean countries enables the destruction of CH/P, therefore, stabilising the area is a key effort to protect CH/P. This is not as simple as the actual physical location of a particular artefact or museum. A comprehensive approach is required. As Fourni specifies, it involves financial and political stability, national security, and regional security. She also points out that focusing on CH in an area where this instability exists could aid the stabilisation. It could create jobs, build identity and form a community focal point. Abbott and Spatas agree. Abbott believes one must be able to fix some general societal holes before one can come close to addressing people that steal anything, but especially culture in places where nobody has an observant eye. Spatas states that the way people view CH is vital, that it is not just a set of ruins but they could be used to the benefit of rural communities, immigrant communities and the disenfranchised. CP can be exploited as well as protected for the good of the people that live there. This is an interesting juxtaposition with the UK which usually seeks to preserve the ruins as are, allow people to view them, but not go beyond that. By engaging citizens, immigrants, students and local communities in the protection of CH one can enhance feelings of belonging, celebrate tradition and engage people in a way that is more than just physical protection. Carter states things can only go through certain routes, which is not public knowledge, but people generally know what they are and what they can be. Therefore, most of what he does is try and convince police and border security to work smarter rather than work more. For instance, if a statue is going to be moved out of Gaza it has to be by boat and with boats they likely to be available in Gaza to go to Egypt or Cyprus. If this knowledge is better known, then immediately CPP operators have an

area to target in terms of stabilisation. Pasi thinks a Mediterranean naval task force would protect CH, build better relationships amongst Mediterranean countries, especially if leadership of the task group was rotated. This practical approach supports Carter and Fourni's views.

Ghaffari believes that NGOs could take a lead in surveying local communities to see what they want to happen with their heritage and how do they think it could offer a revenue stream. Unfortunately, he also believes this will never happen because urbanites will always think they know better than people in the rural areas. Errani thinks that the heritage sector should work with commerce to develop tourism with CH forming a major attraction, something she is trying to do in Reggio Calabria in Italy, working with the Economic Institute of Italy. Although there are risks, if well-managed it would focus development in communities. However, getting two different sectors to work together is a slow, laborious process. Ghaffari also argues that the MENA Region does not have people dedicated to combatting CH crime, so, were people to engage with it as a topic it will be their second or third job[78]. Thus developing the skill set and the interest is crucial[79].

Russell feels an easier way to control the trafficking environment would be to have a rule that CP, which has to be declared on import, and can only go through certain ports of entry, for example, in the UK, if one is bringing in an antiquity, there should be ten points of entry, like there is with cities[80], and CP can only come into a country through these particular ports, because that is where the specialists are based. This control of CP import will result in stabilisation, and if CP is brought in any other port one knows straight away it is illegal. This would take away some of the need for specialised training to some degree because a Roman pot looks like a Roman pot and if it is in a non-CP port it is obviously being illegally imported.

7.6 EMBRACE TECHNOLOGY AND DATA

Multiple interviewees commented on the importance of technology and data in the fight against CP destruction. OceanMind and Sotera already demonstrate the benefits of technology. Spatas is clear in what he thinks matters, and its impact:

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[78] They may work in a museum, who or the Department of Scientific Studies or the Department of Excavation
[79] He thinks this should also happen in South America, Africa and East Asia
[80] Ivory, rosewood and endangered species.

'Data. Only data, nothing else, data. The reason we have not stopped antiquities smuggling is that law enforcement agencies and Ministries of Culture do not provide researchers with valuable data. If you do not provide data, they will not be able to do anything. There's so many problems but if someone has data, then they are able to do something.'

Fourni agrees, saying that accurate, practical data if applied effectively to the senior decision makers will do more to sway opinion. To combat the lobbies archaeologists must have data about how serious the problem is to change peoples' mindsets, the data is the framework for the dialogue. Marczak says the same about human trafficking. However, this data must be accessible to those that need it, not just between different national agencies but also state to state. If enough data is collated then patterns may be identified that help pinpoint the risks and then combat the crimes. This is something that the Maritime Observatory is working on, Bright says:

'It all fits together in the context of understanding what people are doing on the ocean. And so the main approach that they take is to start with a strategic threat assessment, this is to look at all of the different data sources, compile them all over a multi-year period, understand the patterns and trends and changes in behaviour, understand the focus areas, understand the seasonality, and then build a plan of action that draws on all of the different data sources that allow them to focus on those things of highest risk. And once they have this plan, it's a matter of enacting it. They will use the data sources available to understand patterns of behaviour, specific vessel behaviour, activities of vessels that are trying to avoid detection, and pull that all together so that

they can understand exactly what's
happening on the water. And what does it
mean, for heritage. There are a lot of
vessels on the ocean, they have tracking
data for hundreds of thousands of vessels.
And that is streaming in through their
platform, constantly, every second,
bringing all of this capacity of
understanding the movements of vessels,
and that in compliance with the various
different regulations on the ocean.'

Reed also mentions that the European Space Agency provides free imagery that can enable a through-life process of an object from sea to land. This implies that the technology is already there but it is not readily being used to have a big impact. Also, that an organisation like the Maritime Observatory is not well known enough to reach its full potential, yet.

Data collection and analysis should only be viewed positively. Although time consuming and laborious, accessing relevant and accurate data will focus efforts on where the problems are and concentrate force where it is needed most. With so many interested parties, all on some level collecting data on what they see as the problem, this creates a broad understanding of issues and responses that should be shared. Another impact of the use of technology is that it can reduce the need for more ships on the ocean gathering intelligence, this means a reduction in water pollution and maritime traffic which in turn will benefit CP in the long-term. However, if law enforcement do not share the information they gather and put into their databases then they will sabotage their own investigations, either through law enforcement fratricide or not utilising their information appropriately and efficiently.

If new, cheaper and more accessible technology is a threat to CP then there is no reason why it cannot be a benefit also. The fundamental thing is just investment in functional law enforcement. Everyone needs a specialist unit. They need to know what they are talking about in terms of objects, so that if they raid someone they recognise the things that are suspect. One needs them to cooperate with non-law enforcement people, because they will need outside expertise, but one also needs them to cooperate with people outside for intelligence. Bruno raises the importance of globalisation as a problem, because it makes moving CP more attractive, and easier to

pay with a credit card, using the Deepweb, Telegram for example, because it is easier to make the contacts and easier to move the items with people of the same mindset. Access to this information could be massively beneficial.

7.7 PREPARE FOR THE FUTURE

How one pre-empts the potential challenges and prepares for them is a mandatory part of preventing CH/P destruction. At its core are two factors, the people and the plan that must be put into action. People need to be willing to adapt to new challenges and look for emerging trends and risks. This means that the right people need to be employed in the most influential positions. The plan needs to be narrow enough to achieve its aim, protecting CH/P, but broad enough that it allows flexibility to meet challenges and achieve the requirements for success. Again this is reliant upon the right people implementing the plan and how well they can find solutions to problems. However, the theme of funding for CPP is evident at the strategic, operational and tactical levels and this may not be fixed by individuals regardless of their talents. Funding is a sustained requirement and governments predominantly have to bear the majority of the responsibility for providing it, or find innovative solutions to make up the shortfall.

At the strategic level, Spatas states that legislation is crucial because it creates the framework that one can then deduce the resources required to implement that law. However, Reynolds thinks there is only one solution to combat the illicit trade in CP and that is to deal with it on site, if one does not, then time is against law enforcement and any chance of success. This suggests that there needs to be a global plan for dealing with CP crime that transcends borders, languages and national processes. This is also requiring a coordinated appraisal of various countries and as Reynolds says:

> 'What does [the situation] need,
> engagement of the local people, and it
> needs a global financing of areas of risk
> rather than a global financing of Western
> law enforcement and yet another police
> database or whatever else it might be,
> because it's too late. There's huge
> criticism that not enough is done to
> recover the items and get them back, but
> what we need is to close the stable door
> before the horse bolts.'

A more balanced approach to budgeting for at risk areas may not be popular in the West because people may fear where the money is going and a Western politician can always justify spending money on Western law enforcement, but money needs to be spent and source countries need access to budgets to stop crime occurring not for Western law enforcement to stop items being trafficked into their country. Lefevre also wants to see agility in the way institutions plan ahead and then how they operate, and access budgets. A lack of quick funding slows response and prevents proactiveness.

At the operational level, Pasolini simply wants to see more funding to combat CP crime, he believes the majority of the Mediterranean countries have specialised units that work very efficiently in the field, but sometimes they lack the resources to carry out all the necessary activities, and as no law enforcement agency has the legal right to intervene to protect CH outside of their territorial water it is a limited response. Markovic thinks changing the mindset from basic physical protection to a comprehensive, high-tech solution is the next step. He says that after the establishment of good communications between interested parties one has to move beyond ideas like putting cages over underwater sites like they do in Spain and Croatia[81], to using technology like AIS to track boats going to areas of cultural interest. This means that you do not need to be everywhere at once but can focus responses. Reed says that if he had unlimited resources he would simply open more museums, recover artefacts from the 5% of the most important underwater sites, conserve them, put them on display so that people could enjoy them on land. The next tier which are not vulnerable enough right now to need recovering would be protected from humans and barnacles, and preserved for future generations. The rest would be opened up for people to enjoy so shipwrecks and underwater CH becomes accessible. He would want it to be a resource for all of humanity to be able to interact with, completely without restriction. The aim would be for these artefacts to end up in national museums across the Mediterranean, and one would display a range of ships from Roman to medieval to First World War and one would have all the objects associated with these ships freely available, linked to internet sites, including the photogrammetry models of things on the seabed so people can see them. However, one would also have a large amount of them to be enjoyed and naturally decay as well. Obviously, one would find enough jobs to employ people, for example, pay local Egyptian divers to take one to see the underwater treasures of a particular Egyptian site, and the curators and archaeologists do tours on land so that everyone has a stake in heritage.

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[81] Which are claustrophobic and require regular cleaning.

At the tactical level, Reynolds says he hired people on the basis that they were excellent police officers with a varied skillset; good at covert work, good at undercover work, good at investigating, or good at forensic science, but the heritage expertise needs to come from the heritage sector. The next steps are to collaborate, recognise the need to emphasise the value of the commodity, to understand the trade, and to understand the importance of art and antiquities, because without that, one cannot express to a courtroom the impact that these crimes have. Harrison wants to see more innovative approaches to which crime you prosecute someone for. There are now cases where law enforcement could not prosecute a gang for looting or theft so they prosected them for identity fraud as they had used false names on their documents. This suggests the most important aspect is to remove criminals from the environment with the understanding that it may not stop all criminal activity but it does hinder criminal activity. Abbott emphasises the need for a dedicated public prosecutor that is just handling CH crime, because the ones that are not dedicated, do not understand what the issues are, and cannot follow the cases closely enough. She also believes that one needs to be collaborative and interactive with long-term funding. She explains:

> 'The funding system is too prescriptive
> because there is no longevity or unity of
> purpose. It states 'this many years, this
> much money, for people from these
> countries'. The projects need to be a
> sustainable, long-term observatory that is
> neutrally based unencumbered with any
> one country's interests, but have enough
> of a footprint in multiple countries to be
> able to observe how this market moves
> and changes, that can serve as an
> advisory to law enforcement. And then you
> just need trained officers dedicated to art
> and antiquities crime.'

7.8 ESTABLISH WHAT SUCCESS LOOKS LIKE

Anybody involved in the battle against the destruction of CH/P wants to be successful. An important consideration however, is what does success look like. It is highly unlikely that all CH/P can be saved or protected so one must define the parameters for

successful outputs and how they will be measured. Ghaffari says he does not think about a happy ending, as one will never be able to stop the destruction of CP. What he believes is that one should evaluate what one is doing and whether it is working, and if so, then it is successful. Therefore, as one cannot stop the market do not measure success as the shutdown of the market, but by the increasing amount of engagement between the market and the heritage sector and law enforcement. One must research the variables one can control and not focus on variables one cannot control. This thesis has identified two elements that need to be evaluated, firstly what 'measures of effectiveness' are being used, and secondly, do the people combatting CH/P destruction have the right talents.

7.8.1 Measures of Effectiveness (MOE)

The previous sub-chapters provide some parameters to measure success by: has there been a general increase of awareness involving CP issues, is there a better understanding of the challenges of keeping CP safe and what people's roles are, has education featuring CP issues become commonplace, are the right stakeholders being engaged with and are their efforts cohered, are the environments where CH/P destruction take place becoming more stabilised, have governments, law enforcement and NGOs adopted technology in the fight against CP destruction, and finally, are the suggested preparations for the future proving appropriate or wildly inaccurate. However, all of these factors should be incorporated into a CPP plan of activity, and become important elements that contribute to overall success. This CPP plan must have strategic, operational and tactical activity, but also appreciate the different capabilities and skill sets of the organisations that want to combat CH/P destruction. Law enforcement may have more input into deterrence and prevention while civilian actors may seek to use heritage to train and educate. When measuring effectiveness one must look at what is successful but also what is not successful and then work out why that is the case. For instance, law enforcement may have the funds and the tools to share intelligence but if their attitude is wrong then it will fail as an enterprise, but it cannot blame a lack of funding or the correct tools. Maintaining an open mind is crucial and acting upon feedback will create a positive working environment where the different Mediterranean nations can learn from each other.

7.8.2 Knowledge, Skills, and Experience

One of the main motivations of this research was to discover what knowledge, skills and experience are required to make someone effective in CPP[82]. Until recently there has been no specific career path that one could follow into CPP so this research is drawing upon the experiences of a range of individuals and identifying the requirements to be effective. All interviewees were asked this question (though not all were willing to answer it) and the main themes were identified; diplomatic skills, communication skills, the ability to negotiate and mediate, specialist CP knowledge, specialist policing skills, creativity, appreciation of risk, comfortable with handling data, and passion. The main themes of what an ideal CPP operator will look like, and which sectors suggested them, are as follows:

Table 1 Knowledge, Skills and Experience Data Table

#	KSE REQUIRED	OCCUPATIONS OF THOSE THAT IDENTIFIED THE REQUIREMENT	COMMENTS
1.	**Specialist Knowledge in Heritage**	Archaeologists/Lawyers/Military	Due to the nature of the study underwater archaeology/diving was a reoccurrence Not just being able to recognise CP but also the tools used by looters etc
2	**Risk Appreciation**	Archaeologists/Police Officers/Military/Professionals	Evaluate all the risks in front of one What is the impact of those risks
3	**Communication Skills**	Archaeologists/Police Officers/Academia	Stakeholder engagement was deemed to be vitally important The ability to not only talk but also listen to what local communities want Speak the language of the country one is operating in

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[82] As such a new discipline there is not many people who have spent their entire careers doing this but most have moved across at a later stage in life.

4.	**Data; Collection and Analysis**	Archaeologists/Police Officers/ Maritime experts	Data is a key component of the fight against CP crime so one must know how to use it
5.	**Specialist Knowledge of Uniformed Sector**	Police Officers/Military	Knowing the laws and how to apply them Knowing how to investigate situations
6.	**Diplomacy/ Relationship Building**	Archaeologists/Academics/Professionals	Relationships are the quickest way to build momentum and drive change Political awareness Able to work collaboratively Stakeholder engagement
7.	**Quick thinking/ learner**	Archaeologists/Professionals/Military	Learning legislation was a reoccurring theme Learning the structures you need to operate within was a reoccurring theme Being capable of adapting quickly to any given situation was deemed important
8.	**Creativity**	Archaeologists/law enforcement	The ability and willingness to think outside the box
9.	**Passion**	Archaeologists/Academics/Lawyers	What seemed to underpin all the effort was passion, if one does not love what one does one will never make a difference

The archaeologists that were interviewed had the broadest and most comprehensive approach to what was required, hence they are mentioned in multiple boxes, the uniformed sector were more task-orientated in outlook, but the most common answer was that a CPP operator needs to have a broad appreciation of risk, not just physical risk. Without that ability to analyse the situation one would not know where to start. Moving forward, as careers become established in CPP matching workers KSE to this

table will demonstrate how holistic people's approaches need to be and how they must master a number of skills to be effective.

7.9 SOLUTION FRAMEWORK

This solution framework seeks to address what must be done, where are the gaps in activity and how will they be mitigated, what are the CH nuances that must be addressed, and who should lead on the different aspects of the plan. This must be the approach because no one organisation or institution can prevent CH destruction, additionally, no one organisation or institution would be willing to take the lead in protecting it. As we have seen from Chapter 4 the risks are varied and so it would be difficult for just one organisation or institution to have the skillsets required to deal with them all. One does not want to change what people are already doing but incorporate thinking about CP into the way people conduct their daily business.

This thesis has divided the situation up into strategic, operational and tactical layers. The following diagram demonstrates the requirements and actions that need to take place at each layer:
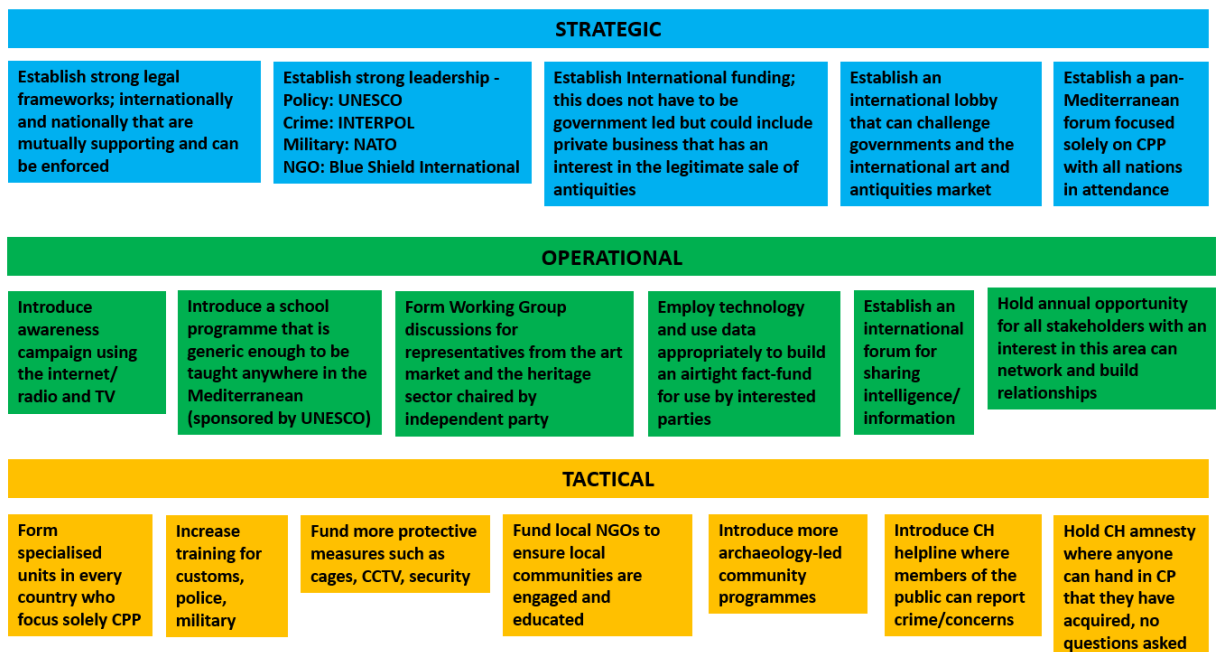

Figure 4 The researcher's CPP Solution Framework

7.9.1 Strategic Activities

To be successful there must be the establishment of strong and viable legal frameworks at both the international and national level that must be implemented at the operational and tactical levels. It is suggested that at the national level some sacrifices will have to be made to adhere to international standards and laws, but in the long run this is acceptable. It has been argued that stream-lining the laws could make them more applicable, however, rewriting legislation, especially at the international level would require a huge amount of time and effort and slow down efforts to protect CP considerably. Therefore, it is not about writing new laws or rewriting established laws, but about discovering how to implement those laws more efficiently, and if countries have not signed up to international conventions like 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage then either internal or external lobbying should take place to ensure they do. Finally, laws should carry penalties that make CH/P criminals not want to conduct crimes, if the punishments are not severe enough then they will continue, both in legal and illegal markets, and an irregulated market will remain open to exploitation.

Also, at the strategic level one needs to establish who has the responsibility for protecting CH/P and which organisations should be taking the lead. Without leadership there is no accountability, and without accountability there is no success (or admission of failure). This thesis argues that there are already organisations in place that could do the role, but they are either failing to do it or are unwilling to do it. It is proposed that the policy lead is UNESCO, as it has a worldwide responsibility for culture already and as the overarching organisation it should provide robust leadership, direction and guidance. What needs to be fixed is the disconnect between UNESCO at the strategic level and the NGOs on the ground at the tactical level. The lead for combatting CH/P crime naturally falls with INTERPOL and there does seem to be some success in what they have achieved but as previously mentioned, the Mediterranean is multiple countries, not just European countries so if it is not focussed on the entire Mediterranean region it is failing. This thesis advocates joint leadership between UNESCO and INTERPOL to combat the overall problem of the destruction of CH/P. UNESCO, from a UN perspective is the global lead for education and culture, and representative of all the nations, and INTERPOL because, as a law enforcement agency, they deal with elements of CP destruction every day, unlike the military. Having slightly less influence will be the military and NGO sector. Perhaps the most contentious application of leadership is suggesting that NATO become the CPP military security lead. However, NATO's membership is formed of many European nations with

an interest in a stable and secure Europe, which also entails a stable and secure Mediterranean region to protect NATO's soft underbelly. NATO is developing a CPP capability but the next step would be to become the capability lead for US and European militaries and conduct multiple training sessions with North African partners. The lead NGO should be BSI, although understaffed, with support from the national committees it can provide a voice on the world stage that many small, locally-focused NGOs could not hope to have. What must be developed is the communication between small, local NGOs and BSI. However, representatives from all these organisations and national governments should meet once a year to reaffirm their intents and responsibilities, while agreeing the path forward for the following year. This engagement is a crucial part of building a multi-national CPP community.

Funding has been a negative aspect throughout the thesis but at the strategic level it is key to enable any action at the two lower levels. Here there is a need for some innovative thinking because international organisations and national governments may argue that there are more important things to spend their money on. Arguably there should still be funds put aside but there is also other ways to consider raising money; tourism, investment by private companies, sponsorships by individuals or charities. National sports arenas around the globe now have sponsorship deals that relieve government spending but benefit the public. Of course, the market itself has a vested interest in ensuring that only legitimate CP items make it into their sales. There may be ways that the market would be able to put some funding towards making sure that happens, including increasing the size of compliance teams, running training courses for staff to look for signs of looting and trafficking, and supporting initiatives in source countries that try to stop looting and trafficking, because if these antiquities reach the auctions houses the damage to reputations will not be recoverable from.

Developing a lobbying capability from within the heritage sector, at least from all the parties that have an interest in CH protection is vital. It is likely that it will not have the same financial backing as the marketplace but it should not be viewed as being in competition with the marketplace but as a moral voice and voice of reason that has the potency to challenge and change the market. This of course will need funding but as long as the discussions are one-sided because the market lobby is so powerful then they will not change. One is not seeking a complete overhaul of the current state of affairs but recommending the tightening of processes and accountability for when things go wrong. Ideally the voices of those in source countries will be heard in market countries.

Finally, the setting up of a forum solely focusing on protecting CP in the Mediterranean region is a must. The environment in the Mediterranean is too intricate to be considered alongside other areas. Without leadership on Mediterranean matters the issue will only be exacerbated by the different nations, languages, religions and peoples that make up the region. An area so rich in CP and with such easy access to markets must be united in its fight against CP destruction. The follow-up benefits of this forum would be intelligence sharing and open discussion at the highest level on a subject that it vitally important, but perhaps undervalued.

7.9.2 Operational Activities

Arguably at the operational level is where most of the coherence of effort and resource will take place and there are a number of activities that must be implemented and maintained. The launch of a broad and effective awareness campaign is crucial to sway or engage public opinion that CH/P destruction is wrong. It has been mentioned that similar campaigns for ivory, fur, blood diamonds and climate change have worked well previously. It is about understanding what worked well in those campaigns and applying it to CP. It is also about linking CH/P destruction to threats more in the public psyche such as war, terrorism and crime, because even if people do not have a moral objection to CH/P destruction one wants them to associate it to things they may have a moral objection to. The PETA campaigns to stop the sale of fur (Anne, 2015) relied on shock tactics to disgust and challenge people who were still wearing fur. It is unlikely a poster of broken pottery would have the same impact, so signifying that not feeling disgusted by CH/P destruction will enable criminals and terrorists to exploit that antipathy. The awareness campaign needs to be distributed via a wide range of methods, but because CP is visual, there should be a focus on visual methods. The campaign should be intended for a broad audience but within that there will be some specific target audiences, young people who may be at school still and buyers of CP who should feel vulnerable if they are buying illegal CP.

The introduction of a global educational campaigns aimed at school attendees should be enacted. In 1982, ICOMOS established 18 April as the International Day for Monuments and Sites (IDMS) or World Heritage Day, followed by UNESCO's adoption during its 22nd General Conference that the International Day against Illicit Trafficking in Cultural Property takes place on the 14th of November each year. Using these as a focal points for school training programmes students should be encouraged to answer some quite serious questions about how they would prevent CH destruction and have

UNESCO and ICOMOS representatives judge the results. There must be an emphasis on engaging MENA schools in the process to ensure a set of balanced answers.

Creating working groups that are formed of representatives from the art market and heritage sector and have independent supervision will initiate discussions. These should be a regular occurrence and be designed to challenge both parties to find a way forward that does not necessarily entail mass-regulation of the market. It would be hoped that by working together processes could be developed that aided everyone and acted as informal places of discussion that could dissolve some of the animosity felt between the two entities.

Employing technology will be the most innovative step to take. This could be anything from funding law enforcement to having drones and submersibles to digitally tagging underwater sites and their contents. Technology should not be seen as a threat but a way to maximise productivity for CPP practitioners. AI is changing what people are capable of and if criminals are not already using it then they will be soon. Those that want to protect CP need to act fast, ascertain what technology will be most useful and employ it. The more data that can be collected means that legislation can be adequately informed, police operations can be more targeted and civilian organisations can have more of an impact.

Intelligence collection and sharing is a major step forward in the successful protection of CP. Identifying all the people and organisations that would have useful information is the first step and then sourcing a safe and secure place to store the information before deciding how best to utilise it. INTERPOL would be the obvious agency to conduct this role and would look to museums workers, lawyers, insurers, dive centres, police forces, NGOs, archaeologists, academics, auction houses, the military, customs and intelligence agencies to provide useful and relevant information. One could also ask the merchant marine, tourists, farmers and fishing communities though the process to collect from these sectors may be more convoluted. The challenge then is to determine how one can best use the data effectively.

The CPP world is relatively small, but growing, and as a result a lot of people do meet at the same conferences and training courses[83] but the global threat to CH needs a global response. Holding an annual conference in different parts of the Mediterranean would raise awareness of the issue and allow people to network and develop relationships. It might also enable a global opportunity to share information and trends

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[83] Certainly in the West

and build data banks. Although there may be conferences happening now they do not have global buy-in and can be geographically restrictive, while also providing a large injection on finance into the local economy. If many stakeholders from government, the uniformed services and the civilian sector get to discuss how they think and operate and where they find the blockers for their activities then it could pay off.

7.9.3 Tactical Activities

Every country around the Mediterranean should have a specialised unit solely focused on CPP. This could be formed of police or could be a mixture of police, military and other agencies but its purpose is to address CP issues and become experts in the field. They would be the tactical arm that conducts investigations and research, but also act as the liaisons between different nations on CPP matters. Uniformed officers may be a reactive response but they should also be a visible deterrence and the more successful specialised units are, the more they need to promote their purpose and successes so that criminals know the risks.

There needs to be a massive increase in the training of uniformed services that may not be specialised CPP units but whose day-to-day activities might bring them into contact with CH/P destruction or the people responsible. Even if they are not experts if they know enough to start asking questions it will help, but CPP cannot be viewed as an interesting niche subject otherwise it will continue to be side-lined. This training needs to be focussed on customs officials and national police forces to have the biggest impact. There are opportunities for cross-training between nations that may also lead to crossover in their work lives, which is currently an aspect of international military training. It is a source of international engagement opportunities as well as a beneficial educational activity. This fosters the cohered community of interest.

Funding needs to be found to allow the implementation of more physical protective measures such as cages over underwater CH sites, CCTV and security measures. The really important measure is CCTV because, although it is reactive to crime it does allow information gathering on trends of crimes, the types of people conducting crimes, and modus operandi. CCTV will also, if shared appropriately, enable museums and members of the public to access underwater sites or even terrestrial sites to see what is going on. This represents a practical and holistic approach to CPP.

Local NGOs have been repeatedly mentioned as pathways to successful CPP, especially in the MENA region, and so funding them to engage directly with communities and teach them about why 'their' heritage matters may stop CP from leaving the regions in the first place. As discussed earlier, these NGOs would need to be connected to others and work in tandem, possibly with tried and tested methodologies for how they engage with communities, and these methodologies could be shared at the annual conferences. However, ensuring that this engagement is appropriate, in the right language applying the technology that can be easily utilised, and demonstrating the importance of the value of CP as an emotional and historical entity, not just in terms of financial value, is vitally important.

Archaeology has a key part to play in the education and engagement of people at the tactical level. Archaeologists are naturally mixing with communities due to their location and can lead or support on community projects alongside NGOs, but also conduct one-to-one activities to improve knowledge and skills in the communities and thus empower them to carry out archaeology programmes of their own, probably in tandem with their national museums. Archaeology has also been utilised extensively in the UK for helping military veterans assimilate back into normal life in projects like Operation Nightingale and Waterloo Uncovered and may have benefit in a similar way in communities damaged by conflict as they seek to become healthy again.

The introduction of a public helpline purely for the reporting of CH crime could build an intelligence picture and mobilise the public to be on the lookout for activities that damage CP. This information would be shared with local police forces and INTERPOL so it can do trend analysis on activity, across areas not just countries. If the helpline was anonymous then in areas where there is a strong terrorist or criminal presence it could be a preferred method of reporting crimes rather than going to a local police force. The helpline could be staffed nationally and if contacted the call centre notifies the relevant police force so there does not need to be a helpline for every region.

There is no doubting that there is already a lot of CP in private hands that people do not know what to do with but do not want to keep, or do not know its importance. Many people might fear the stigma of having items that a relative or friend might have brought back as an unrequested gift. Setting up amnesty's would allow the return of items but also with a few well-placed questions would again enable intelligence collection. An amnesty like this would involve the collaboration or law enforcement, museums and archaeologists and the more these people work together the better relationships they will build.

CHAPTER 8 - CONCLUSIONS

The LR revealed a number of interesting factors that laid the foundation for this thesis. The initial scholarship, made up predominantly of archaeologists and criminologists had identified, intentionally or unintentionally, three main areas of interest; the marketplace, organised crime and conflict. These areas represent major risks to CH/P. What was also evident from the LR is that initially a lot of authors were working in isolation, pinpointing particular areas of interest to them and possibly extrapolating out, but over time they began to collaborate more. This is welcomed because it demonstrates the importance of experts in their field integrating thoughts and ideas. It has also been an invaluable step in raising wider awareness of the problem, even if, in the early stages, the audience was other archaeologists and academics who were already interested in the subject matter. Thus, a perceived gap in the literature was representation from practitioners. The viewpoints of people who conduct security operations, work on archaeological sites at risk of looting, give up their free time to support NGOs do not get much exposure. However, this thesis would give them a voice. Using the military analytical planning tool and a series of in-depth elite stakeholder interviews the researcher was able to look at the problem not just theoretically, but practically, enabling him to produce a solution framework to address the problem that could be applied if the appetite is there. This would give a new and unique insight into an established problem. There are of course, shortfalls with this approach, interviews can result in people's opinions rather than facts or real experience which can skew the data, and the military planning tools are best used when addressing very specific mission sets and as demonstrated in this thesis the CH/P world is incredibly nuanced and complex. They also work best when implemented by an organisation with a defined hierarchical structure that can hold people to account. Yet, by using a new approach the researcher hopes to stimulate further debate. One can only talk about the problem for so long before one must try to find solutions to it.

8.1 What is the problem

CH/P destruction is not new. What is new and what this research has argued is that the destruction of global CH must now be viewed as a global security issue. The growth in academia's consciousness and even that of the general public has proven there is an appetite for combatting the destruction of CH/P but a global security issue requires a coherent and comprehensive response.

At the outset it was assumed that the biggest threat to CP was either Organised Crime or organised criminality, but the research has demonstrated that there are a myriad of threats that no one individual, government, organisation or agency can confront by themselves. The destruction of people's physical past can have a lasting impact on their psyche and the stabilisation of an area. Globalisation has blurred the lines over what it is to have as an identity based purely upon national or geographical delineations but CP remains a tangible asset that can anchor people and their communities in times of strife and form a focal point for regeneration afterwards. The LR revealed the market to be a major problem, and arguably the interviews reveal there have been some major improvements, but it is likely that the market is still not viewed as part of a global problem but a distinct problem at the end of the chain, based upon the source, transit and market phenomenon. There is limited time remaining for CP and if it is not protected it will disappear and that will result in an irreplaceable loss of culture, knowledge and beauty, but also, the money that can be made from selling CP could have seriously negative implications in other ways.

8.2 Describe the environment

The third chapter established what the environment was like in and around the Mediterranean. The environment was not just defined as physical, but cultural, social, economic, and moral. Adhering to the argument that CP crime is a global security issue then the Mediterranean is a perfect setting for criminal activity, tourist activity, subsistence activities such as fishing and farming, but also witnesses mass human migration and regional conflict. These activities, combined with climate change have a major impact on CP, its safe upkeep and its preservation for future generations. Unfortunately, some of the biggest source countries in the world, certainly for classical antiquities such as Roman, Greek and Egyptian are located around the Mediterranean. After revolutions and conflicts in North Africa conditions have been set to traffick CP from places as far away as Iraq, Sudan and central Africa. This instability and lack of security allows a huge amount of looting to take place, whether it is by organised gangs or by individuals. It allows the transport of CP out of source countries to market countries across an unsecured Mediterranean in boats and through a borderless EU to market countries, and well stablished markets such as London, Antwerp, and Paris, and also to new merging markets in the Middle East. Qatar is a growth country matching the other emerging markets in Hong Kong and Japan. As always the US remains a destination country, either via air or via the sea, for classical antiquities. This

demand motivates criminals to breach what security there is in the pursuit of financial benefit. The Mediterranean environment, whether terrestrial or maritime, is unsettled, insecure, and disparate in its approach to law enforcement. The opportunities to remove CP are now hitting a high point and a fast and effective response is called for.

8.3 Describe the risks

The risks to CP in the area around Mediterranean are massive. One can break it down into several factors; conflict (still a major factor following on from the LR), crime, lack of governmental interest, lack of education, and climate change. Conflict has been an ongoing threat in Europe for many centuries but in the last few decades there has been much upheaval along the North African coast from Lebanon to Libya, and the conflict between Israel and Palestine that started in 2023 has only made the security situation worse. There have been multiple incidences of internal conflict resulting in revolution, and the well documented cases in Syria and Libya demonstrate how a very dangerous situation exacerbated by a lack of government control, a lack of law enforcement, and a lack of border control has led to an endemic problem of antiquities smuggling effectively bolstered by conflict. Crime is another massive factor when it comes to the transportation of CP, the movement via trafficking of items from a source country to a market country. It is possibly not the biggest risk to CP, however, it is evident in every country, it is persistent, and it is born out of a demand from a marketplace that actually applies huge amounts of financial value to an object that was looted by someone in the source country for which they received very minor recompense, and may only be looting out of desperation. There is a persistent lack of governmental interest in protecting CP as it is not seen as a major security issue, or criminal involvement is not seen as serious in comparison to crimes such as narcotics trafficking, human trafficking or weapons trafficking. It is also hard to legally enforce a national law if a crime is committed in Egypt, for example, and the objects are then discovered in London, and have passed through several countries on route to market. It is nearly impossible to successfully prosecute any one criminal when there might actually be many different criminal organisations along the route, speaking different languages and operating with different methods. The crime of looting may have happened in Egypt, but the smuggling or trafficking can happen throughout the other countries with potential associated acts of violence of bribery, and then it leads to illegal sale in the UK, in a still relatively unregulated marketplace where the vendors may not know that what they are selling is looted, or may not care.

A general lack of education is a regular occurrence and has a broad impact. It is multifaceted; law enforcement does not have the expertise on the whole to know the subject matter well enough or who they are actually tracking well enough unless it overlaps with other types of crime. A lot of people living in rural areas do not have the same education or the same outlook as people in urban centres, they also might not view CP as something to be protected, but actually as a source of revenue to bolster their meagre incomes. Then there is Western influence and interference. Western education is valued throughout the world but through experience of training the military in Lebanon, they want to be taught how to do something, not necessarily why the West does it. The 'why' they can figure out for themselves. Additionally, when Westerners are not educated they can have a hugely detrimental effect, tourists in North Africa for example, who believe they are buying souvenirs but do not realise they are removing another nation's CP. They may believe the CP they are buying is of little value to the people there, but would make a nice memento, but this is driving, a black market economy that has no oversight, enhanced by a fluid and unregulated market that is underpinned by social media and online market places. Climate change is an ongoing threat that is regularly listed as one of the major issues going forward. The fact that in places water levels are falling, and irrigation channels are now drying up, is revealing all sorts of new CP that was never visible there before. Without any capacity to then remove it sensitively, either by archaeologists or historians, coupled with the fact that actually in some places, water levels are now rising, meaning some ports, or harbours are becoming submerged, the vulnerability of CP is increased. Drought and flooding are also feeding the migration issue meaning CP is being transported in an unregulated manner, criminals are moving amongst the groups undetected and people are being exploited which all compound the security issue.

8.4 What does the law enforcement response look like

The response, as with the risks is multifaceted. The civilian sector lean on law enforcement saying they must do more, they must have more capacity to act as a hammer to hit the criminality nail. This belays a lack of understanding about how military and police operations are conducted. Law enforcement seem to hold the view that they will never have the resources, the funding, and the people to actually make a major impact on CP crime. This may reveal a lack of intent to combat the problem full-on. This does not mean there are not passionate and educated people in uniform willing to stop CH/P crime but what they can successfully achieve will never be enough

to stop it. From the military point of view, it again raises the point of whether they are a policing function or are they there to fight battles, or protect civilians and property. Arguably a global security issue requires them to do all three. It is an extremely challenging environment to operate in with logistical challenges and legal frameworks that are complicated, especially when operations are conducted across borders. Predominantly, European countries at least, do not want their armed forces conducting the role of police officers, believing that delineation in duties in crucial in maintaining democratic and free states. However, if the military will not be required to stop physical crime they may still provide crucial intelligence to counter CH/P crime and support in other ways conducting maritime surveys and monitoring First World War and WW2 shipwrecks for signs of degradation and salvage. They also have survey vessel capabilities that can monitor changes in climate and some of the other threats to CH/P.

Law enforcement is a crucial aspect of CPP and hopefully in time more funding and resource will be allocated to these agencies and organisations to help them do their jobs effectively and efficiently. However, for those that realise how big a task CPP is, there are others who are still unwilling to share information and seek help outside their Units and this linear thinking must cease. This disjointed approach cannot and will not be successful against a global security challenge.

8.5 What does the civilian response look like

Ultimately the civilian response is well-meaning, and passionate, but whether it is currently sustained and effective is debatable. Arguably it is not utilised in the correct way to attain all the benefits it could offer but this comes down to multiple, disparate actors wanting to do the right thing but not conducting their activities in a cohered and suitable manner. More so than law enforcement, the civilian sector is in need of an overarching body to funnel all the effort and activity into something effective and worthwhile. The range of actors in this area, from archaeologists to lawyers to auctioneers demonstrates how many interested parties there are in CP but their, often, unwillingness to communicate across job roles and political leanings is hampering a joined-up response and delaying any move towards effective and sustained success. The emphasis appears to be on local NGOs engaging with communities, with the backing of Western NGOs via training and funding, to stop the destruction of CH/P at source while the western NGOs also lobby governments to further regulate the market and put in place rational and appliable legislation that will enable the market still operate but in a legal and responsible manner. Archaeological companies and

individual archaeologists must be aware of their responsibilities too, be resilient and raise awareness of the importance of CH/P in their work locations, but also understand that they have a responsibility to educate and inform local communities (including school groups), big business, and if one is a Western archaeologist one must work with local archaeologists and share best practice and information so that upskilling takes place across the piece and archaeology is viewed as an inclusive, educational activity, not as a past-time from the colonial era. An appreciation of language and culture is the major step towards building long and sustainable relationships. There is already evidence of how collaboration across sectors, fisheries and heritage in the case of the Maritime Observatory, can create a foundation for success. What needs to happen now is further awareness raising of the benefits of this collaboration and investigation in to how it can be linked across occupations and sectors.

8.6 What does the comprehensive response look like

This is a global security issue and that entails short-term and long-term thinking. The response must be evident at three levels; the strategic, operational and tactical. Engagement on one level will not suffice, governments down to individuals need to be focused on the problem, acknowledging the threats and risks and collaborating to solve the issues of CH/P destruction.

At the strategic level strong leadership is key to success, though it is not evident that an overarching body cohering all activity is possible, leadership in the uniformed sector should be INTERPOL for law enforcement, NATO for the military, and UNESCO for civilian actors. Establish robust legal frameworks or at least find ways to effectively enforce what laws are in practice now. In addition, one must establish multi-national funding, a multi-national lobbying system and a pan-Mediterranean forum solely focussed on CPP. Without this focus CPP will continue to be marginalised.

At the operational level awareness raising of the problem must be continuous and employ multi-media methodologies. It is a case of developing a better educational system to inform people of the value of CP. Better intelligence gathering and sharing should produce better results for law enforcement agencies even if their numbers and resources do not improve. There must be regular opportunities for cross-sector discussions and coherence of CPP activities. The divides that currently exist between nations and sectors such as heritage and the market must be bridged. For all organisations passionate about CPP an embracing of the benefits of data and technology, and an enactment of tools to collect and collate data and information is a

must. At the end of the process there must also be a willingness, and if a lack of willingness, direction to share that data and information with all interested parties that want to prevent CH/P destruction. The technology is already developed that will lay the foundation for CPP; satellites, submersibles, and AI algorithms are readily accessible and there are a lot of people willing to use technology to conduct CPP, but these activities must be put into practice across the Mediterranean.

Finally, at the tactical level, every nation must develop a specialised capability that can investigate CH/P crime and also act as liaison between all Mediterranean countries. Every country must increase training and awareness of the importance and negative impact of CH/P crime in their militaries and national police forces with a focus on the security implications rather than the CP itself. In addition, there must be funding for protective measures such as CCTV and the introduction of a helpline so that the public can become more involved in CPP and help build the intelligence picture. Local NGOs need to be funded, by the West if necessary, and archaeologists need to run more community-focus training and engagement to develop skill levels in all Mediterranean countries. And finally, there must be an amnesty to allow anyone who holds CH/P and wants to hand it in to the authorities but fears reprisals to return it without consequence.

8.7 Final Thought

Ultimately, whether the problem can be solved without two major steps being taken is unlikely. Firstly, the recognition and acceptance that CP crime is organised crime, and it is as serious as any other type of organised crime and the goods that are trafficked may not represent a threat in themselves, but their sale produces revenue that could form part of a global security issue. Barring a few exceptions, this would be a change in mindset for politicians, law enforcement and the majority of the general public, but until CPP is viewed as important in the psyche of the majority it will be easy to ignore. The overlaps with other types of crime are proven and evident, raising awareness of this is now crucial. With the acceptance that CH/P-related destruction is serious, secondly, it must result in one clear outcome, that the response will be serious and coordinated. Good intentions and lip-service regarding the problem of CH/P destruction fall far short of a satisfactory response.

It is the opinion of the researcher, through extensive analysis and lived-experience, that this is a neglected form of organised crime, especially where underwater exploitation and maritime trafficking are concerned, that contributes to security issues globally, and

it is not recognised enough at governmental level beyond rhetoric and only by recognising and accepting the severity of CH/P destruction, can an appropriate and effective response be coordinated and implemented.

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THESIS INTERVIEW QUESTIONS

INDICATIVE LAW ENFORCEMENT INTERVIEW QUESTIONS

Name: **Job Title:**   **Organisation:**

In your professional opinion and based on your professional experience:

1. What is your organisation's main role in combatting cultural property crime?

2. What is the extent of the illicit trade in cultural property?

3. What do you think might be the background reasons for the illicit trade in cultural property?

4. Could you explain what you know about how the illicit trade in cultural property operates?

5. What are the links between the illicit trade in cultural property and other crime?

6. In what ways could the illicit trade in cultural property be further prevented?

INDICATIVE CIVILIAN EXPERT AND CULTURAL EXPERT INTERVIEW QUESTIONS

Name: **Job Title:**   **Organisation:**

In your professional opinion and based on your professional experience:

1. What type of cultural property are you most likely to come across in your job?

2. What provenance checks are carried out in the trade in cultural property?

3. If employed by an organisation, what provenance checks does your organisation carry out?

4. Do you know the current regulations on the trade in cultural property?

(if answered yes to the above)

5. In what ways might the regulations be strengthened to reduce the possibility of an illicit trade in cultural property?

6. What extra support could be provided to ensure cultural property does not enter the illicit trade?

WEBSITE LINKS TO ORGANISATIONS, COMPANIES, AND INSTITUTIONS

ARCA - https://www.artcrimeresearch.org/

The Art Loss Register - https://www.artloss.com/

BILADI - https://biladi.org/

Blue Shield International - https://theblueshield.org/

Blue Shield UK - https://ukblueshield.org.uk/

Bonhams - https://www.bonhams.com/

British School at Rome - https://bsr.ac.uk/

Euromed Heritage Programme - http://www.medmem.eu/en/projet/2/the-euromed-heritage-programme

FutureLearn - https://www.futurelearn.com/courses/art-crime

ICCROM - https://www.iccrom.org/

ICOM - https://icom.museum/en/

INTERPOL - https://www.interpol.int/en

Journal of Cultural Heritage Crime - https://www.linkedin.com/in/the-journal-of-cultural-heritage-crime-04a068163/

NATO - https://www.nato.int/

Nature Horizon Project - https://www.nature.com/articles/d41586-020-03516-6

MAST - https://thisismast.org/

Ocean Map 2030 - https://seabed2030.org/

OCEANMIND - https://www.oceanmind.global/

Operation Nightingale - https://www.gov.uk/guidance/operation-nightingale

Petra National Trust - https://petranationaltrust.org/

SALON - https://www.sal.org.uk/

Sotera Heritage - https://www.soteraheritage.com/

Sotheby's Institute - http://sothebysinstitute.com

TEFAF - https://www.tefaf.com/

The Maritime Observatory - https://thisismast.org/maritime-observatory.html

Trident Manor/IAASF - https://www.tridentmanor.com/iaasf/

Victoria and Albert Museum - http://vam.ac.uk

UNESCO - https://www.unesco.org/en

Waterloo Uncovered - https://waterloouncovered.com/about/our-story/

STAFFORDSHIRE UNIVERSITY ETHICS FORM

RESEARCH ETHICS
Full Ethical Review Form

Full ethical review must be used for research involving above minimal risk and therefore necessitating a more thorough ethical review prior to approval. Further guidance on projects which involve above minimal risk is provided within the University's Ethical Review Policy.

Relevant professional body ethical guidelines should be consulted when completing this form.

Please seek guidance from the School Ethics Coordinator if you are uncertain about any ethical issues arising from this application.

There is an obligation on the researcher and supervisor (if applicable) to bring to the attention of the School Ethics Coordinator any issues with ethical implications not identified by this form.

PART A: TO BE COMPLETED BY RESEARCHER

Name of Researcher:	
School:	

Student/Course Details (If Applicable)		
Student ID Number:		
Name of Supervisor(s)/Module Tutor:		
PhD/MPhil project: ☐		
Taught Postgraduate Project/Assignment: ☐	Award Title:	
Undergraduate Project/Assignment: ☐	Module Title:	

Project Title:			
Expected Start Date:		Expected End Date:	

Application Checklist		
Have the following documents been supplied alongside this application?	Yes	N/A
Participant information sheet(s) in language appropriate to the recipient	☐	☐
Participant consent form(s) in language appropriate to the recipient	☐	☐
Letter/s of invitation to participants in language appropriate to the recipient	☐	☐
Questionnaires (only attach questionnaires that have NOT been validated previously)	☐	☐
Health related projects only: Letters giving permission for access to participants or confirming that full LREC ethical approval is not required	☐	☐

University Research Ethics Committee (February 2018)

	YES	N/A
Other relevant information (e.g. tests or product information)	☐	☐

NHS Research	YES	N/A
Will the research involve any of the following: • NHS patients • NHS staff or premises • Confidential patient information • Material consisting of or containing human cells • Patients who are cared for in private and voluntary sector nursing homes • Exposure to ionising radiation • Medical devices that are not CE-marked or CE-marked medical devices that have been modified or are being used for a new purpose	☐☐☐☐☐☐☐	☐☐☐☐☐☐☐
• Investigational medicinal products • Practising midwives conducting a clinical trial • Protected information from the Human Fertilisation and Embryology Authority register.	☐☐☐	☐☐☐
If the research will involve any of the above, an IPR (Independent Peer Review) application should be completed INSTEAD of a full ethical review. Please contact the Chair if the IPR panel for advice. The HRA (Health Research Authority) provide a tool to help identify if projects need NHS REC approval: http://www.hra-decisiontools.org.uk/ethics/index.html		

Submission Guidance (for completion by School):

▢

1. Project Outline

Please provide a brief paragraph indicating answers to the following questions where relevant:
  i) The aims and objectives of the project.
  ii) Its rationale and justification.
  iii) The research question or specific hypotheses to be tested.
  iv) The background to the project.
  v) Where the research is to be carried out.
  vi) Names of other individuals or organisations involved in the project.
  vii) Whether other approvals have been gained or are to be sought.

▢

2. Research Procedure

Please provide a summary of the procedures that will be followed when carrying out the research project under the following headings.

a) The design of the project (including, where appropriate, issues of statistical power):

▢

b) The procedures to be followed:

▢

c) The participation of people or animals in the project:

▢

d) How the design of the project and the procedures followed are likely to assess the research question or test the hypothesis in question or establish some significant result:

▢

e) Availability of facilities/resources/equipment to enable the project to be carried out:

▢

f) Procedures that will be followed if any adverse event occurs:

▢

3. Participant Recruitment & Characteristics

Please provide clear information regarding the recruitment of participants and their appropriateness to the project:

(NB: Student researchers must also ascertain from their Supervisor whether or not they require a criminal record check through the Disclosure and Barring Service (DBS) in order to enable this project to proceed. If this is the case the application must make clear whether or not it has been undertaken. Any data collection or other activities requiring this clearance must not begin until it has been obtained.)

a) The number of participants involved in the study (including the adequacy of the sample size for both qualitative and quantitative research):

b) How participants will be identified, approached or recruited:

c) Whether there are any inclusion or exclusion criteria, together with their justification:

d) The age range of participants; the gender balance of participants; and the participants' state of health:

e) Whether there is any inducement to participate in the study:

f) How participants will be informed about the right to withdraw from participation the study (and whether time limits will be established during which a participant can request for their data to be withdrawn from the study):

g) Whether the project involves any special groups requiring some additional justification or permission (e.g. children and young people under 18 years of age, those with a learning disability or cognitive impairment, patients, people in custody, people engaged in illegal activities (e.g. drug taking), or individuals in a dependent or unequal relationship):

h) Will informed consent be obtained from research participants?　　Yes ☐　　　　No ☐

Please give details of who will obtain content and how this will be undertaken.

4. Information and Data

Please provide answers to the following questions regarding the handling and storage of information and data:

a) How will research data be stored (manually or electronically)?

---

b) How is protection given to the participants (e.g. by being made anonymous through coding and with a participant identifier code being kept separately and securely)?

c) What assurance will be given to the participant about the confidentiality of this data and the security of its storage?

d) Is assurance given to the participant that they cannot be identified from any publication or dissemination of the results of the project?

e) Who will have access to this data, and for what purposes?

f) How will the data be stored, for how long, and how will it be discarded?

5. Risk, Harm and Other Ethical Considerations

Please provide an estimate of the perceived benefits or outcomes of the project weighed against the possible harms caused to the participants.

Please identify any potential risks or hazards that might be caused to participants or the researcher, in addition to any discomfort, distress or inconvenience to them, together with any ethical problems or considerations that the researcher considers to be important or difficult in the proposed project.

Please explain how any potential risks or hazards will be dealt with, along with any justificatory statements. This information should highlight any remaining ethical considerations and to respond to them in a way which may assist the Research Ethics Committee in arriving at some judgement upon the proposal.

Has a risk assessment been completed for this project　　　　Yes ☐　　　　N/A ☐

6. Supporting Information

Please attach the consent form, information sheet, and questionnaire/interview questions to this application. Further guidance on the design and content of consent forms and information sheets can be found on the University's Research Ethics website.

Researcher Declaration

I undertake to carry out the project described above in accordance with ethical principles. I have completed the application in good faith. I accept that providing false information constitutes scientific fraud and will be subject to appropriate disciplinary procedures.

Signature of Researcher:		Date:	

NB: Any departure from the protocol for this research project may mean that the ethical approval decision made by the School Ethics Coordinator is no longer valid and a new ethics proposal will have to be submitted. It is the responsibility of a student researcher to discuss proposed changes to the agreed protocol with their project supervisor as soon as possible so that a revised /new ethics application can be submitted. Research based on any revised / new protocol **MUST** not proceed unless and until the protocol has ethical approval.

Next Step:

STUDENTS: Please submit this form (and supporting documentation) for consideration by your Supervisor/ Module Tutor.

STAFF: Please submit this form for consideration by your Head of Department of a Senior Researcher in the School. This form should then be forwarded to the Research Administrators in RIIS (ethics@staffs.ac.uk) who will arrange for it to be considered by two independent members of the School's College of Ethical Reviewers

PART B: TO BE COMPLETED BY SUPERVISOR/MODULE TUTOR (If student) OR Head of Department/ Senior Researcher (if staff)

I have examined this proposal and confirm that the rationale and methodology is appropriate and that it can proceed to the stage of ethical consideration.	☐
I have checked and approved the key documents required for this proposal (e.g. consent form, information sheet, questionnaire and interview schedule).	☐

Signature of Supervisor/ Head of Department/ Senior Researcher:		Date:	

Next Step:
Please submit this form to the Research Administrators in RIIS (ethics@staffs.ac.uk).

PART C: TO BE COMPLETED BY THE SCHOOL ETHICS COORDINATOR

This research proposal has been considered by two members of the School's College of Ethical Reviewers and **RECEIVED** ethical approval.	☐
This research proposal has been considered by two members of the School's College of Ethical Reviewers and was REFUSED ethical approval on grounds detailed below:	☐

University Research Ethics Committee (February 2018)

Recommendation (delete as appropriate): Approve/ Amendments required/ Reject	

Signed (School Ethical Coordinator)		Date	

	INTERVIEWEE OCCUPATION LIST	
#	**PSEUDONYM**	**BACKGROUND**
1.	Angela Fourni	Archaeology
2.	Beatrice Beltramo	Archaeology
3.	Chris Towers	Auction Houses
4.	Daro Markovic	Underwater Archaeology
5.	Robert Eales	Law Enforcement
6.	Daphne Vasiliou	Underwater Archaeology
7.	Elisa Parra	Archaeology/NGO
8.	Fiona Russell	Law/NGO
9.	George Reed	Underwater Archaeology
10.	Helen Robinson	Law/Academia
11.	Julie Basha	Archaeology/CEO of NGO
12.	Janet Marczak	Human Trafficking Expert/NGO
13.	Lana Smith	Heritage Sector
14.	Laura Abbott	Art Crime expert, specialising in Italy
15.	Lisa Mansford	CPP AI Business Founder
16.	Matt Davies	Archaeology/Military
17.	Mark Wilson	Law/Academia
18.	Maureen Knight	Archaeology/Academia/US State Department
19.	Nigel Bright	Maritime Expert and CEO of NGO
20.	Olek Spatas	Law enforcement/CPP Trainer
21.	Piero Pasolini	International Law Enforcement
22.	Paul Carter	Underwater Archaeology/Academia
23.	Paul Stevens	Archaeology/Heritage sector
24.	Renata Errani	Underwater Archaeology/Heritage sector
25.	Robert Collins	Heritage Sector/Military
26.	Sergio Pasi	Archaeology
27.	Simon Harrison	Archaeology/Academia
28.	Saadiq Ghaffari	Academia
29.	Santino Bruno	Italian Law Enforcement
30.	Tom Lefevre	Curator/Military
31.	Tom Gower	Archaeology/Military

32.	Tara Omari	Art market/Transportation
33.	Victor Reynolds	Law enforcement/Heritage sector