

"WHY IS NO ONE TALKING ABOUT LIBYA'S CULTURAL DESTRUCTION?"



Antiquities shop in Herat, Afghanistan. Photograph by Alison Gascoigne.

Neil Brodie

On February 2, 2015, writer Laura C. Mallonee asked, “Why is no one talking about Libya’s cultural destruction?” (Mallonee 2015). It was a good question. It deserves an answer. I propose two. My simple answer is that no one is talking about Libya because the attention of the international community is focused upon cultural destruction in Syria and, with the emergence of Islamic State (IS), Iraq. Since 2012, the destruction of cultural sites in Syria has been more severe than in Libya, and so, more newsworthy. My longer answer is that the question highlights the failure of international public policy to develop a coherent and effective response to the illegal trade in antiquities and other cultural objects. Since 1990, this trade has probably been the most active cause of destruction to cultural sites throughout West Asia and North Africa. It has certainly been the most preventable cause. Regrettably, prevention has not been achieved.

Bad News: The Looting of Cultural Sites in West Asia and North Africa

If Mallonee had been writing a few or more years earlier, she might have asked instead, “Why is no one talking about Syria’s cultural destruction?” During the late 1990s and early 2000s, a lot of media attention and international action focused on Af-

ghanistan where the National Museum in Kabul was gutted and archaeological sites across the country were looted. The plunder of the Iraq National Museum in 2003 and the widespread looting of archaeological sites that followed acted to eclipse concern about the situation in Afghanistan. Iraq dropped out of the news during the 2011 Libyan civil war. During all of this time, the cultural sites of Syria were hardly mentioned. Then, in March 2011, Syria took its first faltering steps towards civil war. At first, there was nothing in the news about the impact of conflict on Syrian cultural heritage. It was not until 2012 that reports of the looting and destruction of cultural sites began to appear in conventional and social media – a fact confirmed by the dates of articles footnoted in Emma Cunliffe’s (2012) report. Yet there is ample evidence to show that looting and illegal trade had been ongoing in Syria since the 1990s and perhaps earlier (Abdulrahman 2001; Cunliffe 2012: 18–19; Casana and Panahipour 2014: 143, 148 table 1). What changed in 2011 was that the practice intensified and became more widespread as people began searching for saleable material to feed themselves and their families or to buy weapons.

Looking back to the 1990s, it seems possible to discern a general pattern (though it is not). Media and international attention are drawn towards abnormally acute situations or “spikes”

of looting and cultural destruction that arise in times of civil disturbance or conflict. The news reporting that accompanied the looting of archaeological sites and museums in Egypt in 2011 would be another example. But there are exceptions that disprove the pattern. Archaeological sites in Jordan, for example, suffered very badly from illegal digging in the 1990s and 2000s, though outside the academic literature very little was said about it internationally. Conversely, despite the media attention awarded Libya in 2011, its cultural sites appear to have survived relatively unscathed. Thus, there is no consistent correlation between the severity of cultural destruction in a country and the degree of media reporting. Another thing that changed for Syria in 2011, however, was that media attention was drawn more towards the country as it became a focus for international foreign policy and humanitarian relief efforts (limited though they have been). Thus, it is possible to suggest a different pattern. Media attention and international action are drawn towards situations where cultural heritage is under real or perceived threat of destruction in areas of political concern to the international community. Thus, the damage caused to sites in Jordan went unremarked because the country generally was not considered by the international community to pose any kind of challenge to global security or stability. News of looting in Afghanistan has become scarce, probably because, in the international mind at least, it is

no longer an area of active interest for politicians and the media gaze has moved elsewhere.

The Failure of Public Policy to Prevent the Looting of Cultural Sites

As the cultural heritage of one country after another has come under threat, the international community acting under the guidance of UNESCO has responded with a series of “emergency” actions. In October 2011, for example, UNESCO convened a meeting of experts in Paris to discuss strategies for safeguarding the cultural heritage of Libya in the “aftermath of conflict”, with follow-up workshops financed by Italy in 2013 in Tripoli, Sabratha, and Shahat. For Syria, UNESCO organized expert meetings in Amman (February 2013), Damascus (May 2013) and Paris (August 2013). The Amman meeting recommended an action plan that was implemented on March, 1 2014, as the Emergency Safeguarding of the Syrian Heritage Project (ESSHP), supported for three years by €2.5 million of European Union (EU) funding. Associated actions included the September 2013 International Council of Museums (ICOM) Emergency Red List of Syrian Cultural Objects at Risk and the December 2013 EU Council Regulation No 1332/2013, which imposed limited trade controls on Syrian cultural objects. In August 2014, the American Schools of Oriental Research (ASOR) launched a project aimed at docu-



Figure 1. Antiquities shop in Herat, Afghanistan. Photograph by Alison Gascoigne.

menting damage to cultural sites in Syria and developing mitigation and preservation projects. Finally, in February 2015, United Nations Security Council Resolution (UNSCR) 2199 placed limited trade controls on Syrian cultural objects.

By 2015, in spite of all these initiatives aimed at protecting cultural heritage, the situation was worsening, not improving. In Syria and Iraq, IS was institutionalizing the looting of cultural sites and trade in cultural objects as sources of revenue (Al-Azm 2015). In Libya, once more in the grip of civil war, the implementation of UNESCO recommendations had stalled and the country's cultural heritage was once more under threat, perhaps most from "the trafficking of archaeological materials, for profit or to fund radical groups" (Di Lernia 2015: 548–49). International public policy appeared to be failing. Despite the human expertise and material resources devoted to tackling the problem of illegal trade, it persists. There are at least four very practical reasons why this is the case – why emergency actions for Libya and Syria and for other countries around the world have proved inadequate for the task at hand (Brodie in press): (1) their emphasis on protection at source, (2) their implementation on a country-by-country basis, (3) their reactive nature, and (4) their emphasis on the recovery and return of stolen and looted objects.

Protection at Source

The first policy shortcoming is its emphasis on trying to protect cultural sites themselves rather than implementing a broad spectrum of preventive measures aimed at reducing market demand. The illegal trade in cultural objects, like any other illegal trade, is the product of demand on the destination market. There would be no illegal trade in cultural objects if there were no dealers willing to sell them and no collectors and museums willing to buy them. Yet actions aimed at safeguarding cultural heritage in countries such as Libya and Syria make no real provision for subduing demand or diminishing the size of the destination market. They focus instead on improving protection at source.

The outcome of UNESCO's October 2011 meeting of experts in Libya, for example, was a series of recommendations aimed at

securing Libyan cultural sites through physical protection and infrastructural support. As regards the illegal trade, the only recommendation was to circulate information about objects stolen from documented collections to law enforcement agencies and auction houses. In April 2013, a follow-up workshop in Tripoli on the "prevention and fight against illicit trafficking of Libyan cultural property" concluded with seven recommendations, again all aimed at improving protective measures within Libya itself. Perhaps the focus on protection at source was an appropriate outcome for a workshop held in Libya to consider Libyan heritage, but it is strange nevertheless that a workshop held ostensibly to consider the "prevention and fight against illicit trafficking" made no recommendations about reducing demand on the destination market. The February

2013 UNESCO action plan for Syria agreed in Amman and implemented through ESSHP envisaged a "three-pronged" approach, calling for the monitoring and assessment of damage and destruction at source, national and international awareness raising, and improved protection at source through capacity building including technical support and training for police and heritage professionals in Syria and neighboring countries. Again, there was no real guidance for achieving market reduction.

The policy emphasis of these UNESCO actions on protection at source, with protection conceived holistically to include public awareness and improved professional capacity alongside actual physical in situ protection, is unrealistic. To what extent these measures can ever offer long-term, comprehensive protection to cultural sites is questionable because of the demands they place on available resources. Furthermore, protection dissipates when it is needed most during periods of civil disturbance, conflict, or economic recession or collapse.

By 2015, cultural sites in Syria were slipping out of reach of any protective agency (Al-Azm 2015) and in Libya initiatives aimed at in situ protection had stalled as the country was once again dragged into civil war (Di Lernia 2015: 549).

Country-Specific Actions

A second shortcoming is that, as Mallonee's question revealed and as already discussed, policy actions have been country specific.



Figure 2. Final report of February 2013 UNESCO meeting in Amman on the illicit trafficking of Syrian cultural objects.

In other words, action plans have only made available expert and material assistance to one country at a time. Other countries are necessarily deprived of resources. The material assistance made available to Iraq in the 2000s and Libya in the 2010s was no help to Syria. The EU funding for the ESSHP in 2014 did nothing to safeguard the cultural heritage of Libya, of other countries in the broader region, or, for that matter, anywhere else in the world.

Another possible emergency action is the imposition of trade controls by the United Nations Security Council. In August 1990, UNSCR 661 placed trade controls on Iraqi cultural

at particular types of object (cuneiform tablets, for example) rather than at countries.

Reactive Actions

Policy actions are reactive. They occur after significant damage has already been caused. ESSHP was not inaugurated until March 2014, a year after the start of widespread reporting of cultural destruction in Syria, and decades after the first onset of looting. Late reactions also provide time and space for the unimpeded development of smuggling routes and a functioning mar-



Figure 3. A looted landscape: Qazone, Jordan, 2009. Photograph by Dan Contreras.

objects, reaffirmed in May 2003 by UNSCR 1483 and again in February 2015 by UNSCR 2199. UNSCR 2199 also placed controls on Syrian cultural objects. The ICOM Red Lists of Cultural Objects at Risk, such as the ones for Iraq in 2003 and 2015 and Syria in 2013, offer advice for identification of controlled objects, but again are country-specific. These UNSCR controls are difficult to enforce when archaeological cultures spread across the territories of more than one modern country. Objects from one country (Syria, for example) can easily be traded as originating in another country (Lebanon or Turkey perhaps). I have heard on more than one occasion that objects from Egypt are easier to intercept than those from Syria because ancient Egyptian objects are distinctive and to all intents and purposes identifiably from Egypt. Trade controls would be more effective if they were aimed

ket. If a stronger line had been taken about illegal trade out of Syria in the 1990s or 2000s, it might have been less of a problem in the 2010s.

Recovery and Return

Finally, while policy actions do little to reduce demand on the destination market, they do try to interrupt supply to the market. The trade controls introduced by UNSCRs are examples, as are the ICOM Red Lists, but initiatives aimed at interrupting supply tend to promote the recovery of stolen and looted objects over the apprehension and prosecution of criminals. UNSCR 2199, for example, specifically states that its purpose is “prohibiting cross-border trade in such items, thereby allowing for their eventual safe return to the Iraqi and Syrian people.” It says noth-



Figure 4. A looted landscape: Balkh, Bala Hissar, Afghanistan, 2006. Photograph by Alison Gascoigne.

ing about bringing the criminals involved in illegal cross-border trade to justice. The UNESCO 2011 Libya plan was aimed at stopping the “further illicit circulation” of cultural objects and “favouring their return.” The desire to secure the recovery and return of objects stolen from museums, libraries, and archives is understandable. But more generally, the recovery of small numbers of objects looted from archaeological sites does nothing to restore the archaeological contexts and stratigraphies damaged by their looting. Nor does it deter criminals from further illegal trading. Prevention, not restitution, is key.

The Securitization of Cultural Heritage Protection

On May 14, 2014, the US Department of State announced that it had designated IS as a Foreign Terrorist Organization. This designation, together with reports that IS was profiting from the trade (al-Azm et al. 2014) and making improbably large amounts of money (Chulov 2014), transformed perceptions of the trade. From being seen as a cause of damage to cultural heritage it passed into being a source of terrorist funding and an issue of global security. In view of this new security profiling, it was no surprise when on November 22, 2014, US Secretary of State John Kerry spoke about the threats to Syrian and Iraqi cultural heritage and announced funding for several projects aimed at solving the problem. Sadly, for the reasons set out above, these projects look poorly equipped for achieving the objectives set out for them. Look at the ASOR Syrian Heritage Initiative (SHI), for example. It was established on August 4, 2014, with \$600,000 of US federal funding to report on the destruction of Syrian cultural heritage. Kerry announced that additional financial support would extend coverage to Iraq. The SHI mission statement

claims that it is protecting cultural property by documenting damage, promoting global awareness, and planning emergency and post-war responses. The SHI is doing an excellent job producing weekly damage reports, and I am not criticizing the value or utility of this work, but it does not constitute a complete or comprehensive program of cultural property protection. There is no strategy in place for tackling demand and reducing the volume of the destination market. The SHI is limited in geographical scope to Syria and Iraq. But Syria and Iraq are not the only countries whose heritage is under threat from looting and destruction. Kerry’s intervention suggests that a significant political response

will only occur when a threat to cultural heritage is viewed as an overt security issue. But IS is not the only terrorist game in town. As recently as 2010 the Taliban-associated Haqqani Network was reported as profiting from the trade (Peters 2010: 36). But Afghanistan is now last decade’s problem. Where will next decade’s problem be? It is perhaps too soon to say, though I could hazard a few guesses off the record. The only certainty is that the projects announced by Kerry will be poorly placed to confront it. The UK initiative announced as this article was going to press on June 21, 2015, is open to a similar set of criticisms. A better precaution would be to institute measures aimed at global market reduction, so that whatever country falls victim to civil disturbance or conflict, the incentive to steal and to loot its cultural heritage will be much reduced.

There might be a more insidious aspect of Kerry’s intervention. If, as looks to be the case, international foreign policy concerns and media reporting are entangled, politicians might be more responsive to media portrayals of the problem than to the problem itself. As regards IS, the media certainly seems to have had a hand in pushing policy. I know from personal experience how hard it is to gain column inches or airtime for opinions that run counter to editorial understanding of what will sell to an audience or satisfy the political inclinations of patrons. And by that I mean how hard it is to secure a hearing for more evidence-based and less sensationalist accounts of the problem. Editors want to hear about IS making millions of dollars from the trade. They do not want to hear that its financial accounting is difficult to know. But by creating a climate of public outrage and expectation, irresponsible media reporting places pressure on politicians to do something quickly and to be seen to do something quickly. The danger then is the policy gesture: the high-profile,

seemingly well-funded response (not solution) to the problem. The real, practical outcome of the response is of less importance than its positive impact on the media.

A Global Solution for a Global Problem

Going forward, and as should be clear by now, what is required is a coherent and internationally applied strategy of market reduction. It would comprise an interrelated set of pragmatic initiatives aimed at creating a more inhospitable commercial environment by increasing levels of risk for all market participants. A starting point for such a strategy is provided by the UN General Assembly Resolution 69/196 International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences adopted on 18 December 2014 (UN General Assembly 2015). If the EU and US funding committed since 2012 to the protection of cultural heritage in Syria and the political will that made the funding possible had been present ten or twenty years ago, and aimed at market reduction, then IS, the Taliban, and others might not have been able to profit from the trade. Lives as well as cultural heritage in many countries might have been saved. Individual archaeologists in the US have fought long and hard alongside their professional organizations to secure such an outcome, but they have faced stiff opposition from a powerful constituency of dealers, collectors and museums. It is more than twenty years now since Ricardo Elia (1993) admonished that “collectors are the real looters,” and his observation is as true now as it was then. Unfortunately, because of powerful opposition at home, public policy has consistently avoided engaging in an effective manner with the “real looters,” and looked abroad instead. It is not surprising that the problem persists.

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