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#CULTUREUNDERTHREAT:

Recommendations for the U.S. Government

April 2016

EXECUTIVE SUMMARY

#CultureUnderThreat: Recommendations for the U.S. Government

Culture has become a weapon of war and a fundraising tool for violent extremist organizations across the Middle East and North Africa (MENA). Millions of archaeological, historic, and religious sites in the MENA region are under threat from organized plunder or destruction from armed conflict and violent extremist organizations.

The #CultureUnderThreat Task Force was convened by the Antiquities Coalition, the Asia Society, and the Middle East Institute to explore solutions to this growing crisis and serve as an ongoing resource to policy makers. This report details the current situation and puts forward a series of recommendations for the U.S. government, international community, and art market that address the core issues. Action to halt antiquities looting and trafficking is critical in the fight against violent extremism and organized crime. Cultural crimes are also closely linked to security threats, including money laundering, transnational organized crime, and international terrorist financing.

Terrorist groups like Daesh have razed entire temples at the ruins of Palmyra in Syria and Nimrud in Iraq, dynamited the Judeo-Christian Tomb of Jonah and the Sunni mosque of the Prophet Yunnis, pillaged the Mosul Museum, and obliterated countless Shiite and Sufi places of worship. The loss of life in the region from these extremists is reprehensible. So is the destruction of those institutions that represent the region's storied history. From Egypt to Libya to Yemen, and across the region, cultural crimes have proliferated in the vacuum of political instability and breakdown of security created by the 2011 Arab Spring.

The fight to protect the peoples of the MENA region and their heritage cannot be separated: the destruction of culture has long been an integral component of war crimes, crimes against humanity, and genocide. Daesh, the Al-Nusra Front, and Al-Qaeda have now institutionalized cultural crimes as an instrument of war, using them to erase the collective memory, culture, and accomplishments of a people and replace it with their own ideology. Left unchallenged, this is not only a physical threat to heritage, but a threat to human rights and international peace. The looting of heritage sites directly funds terrorist activity and creates long-lasting economic damage in the region.

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#CultureUnderThreat Task Force, accordingly, is comprised of experts from diverse



Active looting in Daesh occupied territory. Credit: The Day After Project, Heritage Protection Initiative

backgrounds, including the heritage, law enforcement, legal, military, and national security communities. This is the first time such a diverse group has developed such a wide range of recommendations for new policies, practices, and priorities for the United States to implement—both on its own and in conjunction with the international community and art market.

The Task Force's focus on the United States, international organizations, and the art market in its initial set of recommendations does not imply that they bear sole or

primary responsibility in stopping cultural crimes. Source countries, for example, have an important role to play. Yet, given the unique challenges that source countries plagued by armed conflict, civil, and political unrest face, a separate report is required to fully address steps they should consider taking to monitor and protect their heritage.

The United States makes up 43% of the global art market, and leads world demand for licit and potentially illicit antiquities. Therefore, the United States can play a leadership role in the fight against cultural racketeering and deal an effective blow against the overall black market. It is crucial that the United States takes advantage of this opportunity, not only in the interests of preservation, but in the interests of national security.

The Task Force intends the recommendations presented below to serve as a critical step in the war against cultural crimes. In focusing on the Middle East, the #CultureUnderThreat Task Force seeks to develop a framework that can help to prevent and combat cultural crimes committed in other conflict zones as well. We urge leaders across the international community to use them as a guide for their own countries and organizations. A follow-up report will address actions by governments in source countries, NGOs, and private stakeholders to prevent cultural racketeering and cleansing within and across their borders.

We hope that the United States government will view these recommendations as an opportunity to extend its leadership in the prevention of cultural crimes around the world. The Task Force stands ready to assist in this effort.

For the Federal government, the Task Force calls on:

- **The President** to block the import of conflict antiquities through executive action; and to designate a senior director at the **National Security Council** to drive U.S. policy in the fight against blood antiquities and terrorist financing.
- **The U.S. Congress** to pass the Protect and Preserve Cultural Property Act (H.R. 1493/ S. 1887) to restrict antiquities imports from Syria; and to grant the limited waiver requested by the **State Department** to rejoin the United Nations Educational, Scientific, and Cultural Organization (UNESCO) to maintain U.S. leadership and influence in the global battle against heritage destruction.
- **The U.S. Defense Department** to consider, as appropriate, the launch of air strikes when extremists organizations threaten heritage sites; to further identify “no strike lists” of cultural sites; to improve and standardize cultural property protection training for all military personnel; and to increase the number of cultural heritage specialists in U.S. Army and Marine Corps Civil Affairs units to better prepare the modern “Monuments Men and Women” for future missions.
- **U.S. law enforcement** to buttress **Immigrations and Custom Enforcement’s** “seize and repatriate” strategy with investigations and prosecutions that dismantle criminal networks engaged in the antiquities black market, as well as to provide additional resources for these efforts; and for the **U.S. Justice Department** to end impunity by appointing dedicated prosecutors with expertise in heritage crimes, modeled on its wildlife trafficking unit.
- The Task Force recommends further coordinated actions by the **Congress, Departments of Defense, Homeland Security, Justice, and State, Internal Revenue Service, Peace Corps**, and other U.S. agencies.

For the international community, the Task Force calls on:

- **The United Nations** to urge the **International Criminal Court** to open an investigation of cultural crimes in Iraq and Syria; to include the safeguarding of cultural resources in peacekeeping training and mandates; to incorporate heritage protection in post-conflict planning; and to support the capacity of national courts to conduct domestic prosecutions of cultural racketeering and cleansing.

For the art market, the Task Force calls on:

- **Museums, dealers, and auction houses** to commit to greater transparency and make publicly available documentation of legal title and known ownership history for all antiquities.
- **An art dealers' trade organization** to establish a registry of antiquities dealers who are verified to abide by prescribed ethical codes and industry best practices.
- **Collectors, dealers, museums, and other market players** to cease using stolen art database certificates as the sole proof of due diligence for antiquities acquisitions.



Funerary stele recently looted from Palmyra and put up for sale at the auction in Raqqa in March 2016. Credit: The Day After Project, Heritage Protection Initiative