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The Role of Inter-Organisational Collaboration in Countering the Illicit Trafficking of Cultural Property

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Abstract

The issue of the illicit trafficking of cultural property is a transnational crime which involves thus plenty of States worldwide. It is impoverishing nations and, beyond that, the global cultural heritage. This traffic has recently experienced a new dimension when serious clues emerged which indicate that ISIL (Islamic State of Iraq and the Levant) utilises it as a means for funding its terrorist activities, making that a serious international security matter.

This dissertation aims to identify the role of the major actors of the fight against this phenomenon, namely international organisations, and how they work together thanks to inter-organisational collaboration. This research will take place within the frame of Inter-organisational theory as summarised by Cropper et al (2008) and will identify the nature of the relations between these organisations as well as their achievements and limits. Furthermore, owing the current importance of ISIL for this field and for the world cultural heritage, a part is devoted to understand the role of the organisations in countering this terrorist organisation.

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Table of Contents

Introduction

Cultural heritage is the manifestation of the richness and the diversity of global cultures. Artefacts are fundamental to understand the history of humanity and they constitute as being our main source of knowledge to the past (Renfrew, 2000; Mackenzie, 2009). They contribute to being part of the identity and history of every person in the world, not only are they important to the cultures in which they directly belong to, beyond this they hold importance to the cultural heritage of mankind. Therefore any attacks that are made towards these artefacts have implications for the whole of humanity.

However, since World War II the international community has realised the threat cultural heritage faces as result of these artefacts being vulnerable against conflicts. Mr Edouard Planche, programme specialist at UNESCO (please see Appendix 1 for the meaning of the used acronyms) who was interviewed for this research, explained that that this issue has grown of greater importance recently due to, the increase of online commercial exchange worldwide, the development of the art market, the increase of lootings and conflicts. The milestone was the destruction of the Bamiyan Buddhas in 2001 and people realised that heritage became an ideological stake and a war stake. During the 90s we experienced intentional destructions of cultural heritage in the Balkans and of the library of Dubrovnik. An example of how the international community replied to this issue was with the first protocol to the 1954 Hague Convention, added to the 1970 convention, this is the main international instrument against the illicit trafficking of cultural property. States are asked to penalise these kinds of attacks towards heritage and raise awareness of consequences which result from the destruction caused by such conflicts. Then, in 2003 the looting of the Bagdad museum happened, Iraq was invaded by the USA and nothing was established to prevent that until the occupation. This museum lost two-thirds of its collections; 15000 objects were lost and one-third was recovered (Planche, Interview in June 2016). Thus, we can identify two types of attacks towards heritage: destructions and looting.

This research will be especially interested in looting because it is a global problem which is tricky to counter since it takes place in both illegal and legal markets, and involves legitimate and criminal actors (Brodie et al, 2006). This trafficking implies criminal activities in the country of origin, that of transit and that of market. "Specialists agree that this is one of the world's biggest illegal enterprises, worth billions of US dollars, which has naturally attracted

interest of organised crime" (WCO website). In addition, since the beginning of the conflict in Syria and Iraq dreadful damages have been caused to the local cultural heritage by the so-called terrorist organisation ISIL (Islamic state of Iraq and the Levant). Furthermore, these individuals that belong to ISIL have linked the illicit trafficking of cultural property to terrorism by smuggling the goods found on the sites that they attack. Indeed, while the terrorists are ransacking cultural sites for the cameras, a large amount of goods are stolen to be sold or cached in order to reach the art market afterwards (Danti, 2015). Ruining world cultural heritage is unacceptable and when it is for terrorist purposes that is even more unbearable.

The situation is therefore very sensitive and in urgent need of a response. A source close to the UN who was interviewed for this research explains the goods pass across borders via roads, airports and ports consequently an international collaboration is required. This collaboration is embodied by a group of expert organisations which are explicitly named in the Resolution 2008/23 of the UN Economic and Social Council, as following:

-UNODC (The United Nations Office on Drugs and Crime)

-UNESCO (The United Nations Educational, Scientific and Cultural Organization)

-ICOM (The International Council of Museums)

-INTERPOL (The International Criminal Police Organization)

-UNIDROIT (The International Institute for the Unification of Private Law)

-WCO (The World Customs Organization)

In addition there are also other organisations which help to complete their work, they all work in different areas which are supposed to cover the different levels of this trafficking. In this idea they are sharing information and tools made to fight this trafficking and render the collaboration more effective. In theory this system seems effective however in reality there has never been a complete evaluation on the effectiveness of their inter-organisational relationships towards preventing looting and antiques trafficking - which is one of the goals of this research.

Consequently, this research will explore the features of the inter-organisational collaboration in countering the global illicit trafficking of antiquities. This dissertation will try to figure out the terms of the relations within the collaboration and how they can bring an answer to this issue. This study will follow the framework the Inter-organisational relations theory (IOR) as gathered by Cropper et al. (2008). This theory focuses on the terms of the cooperation relations that take place between several organisations, and how that could permit to reach better outcomes. This theory will be developed further in this research as it appears relevant for our topic. For the

purpose of this dissertation - after studying the literature on this theme and the adopted methodology the following structure will be taken - we will firstly see the complementarity of expertise and tools of these organisations, then the pattern and specificities of their relations and finally a part will be about the achievements and limits. At the end, a part will be ISIL-centred owing to its importance for this topic, discussing the consequences it has on the international organisations, and the change of scale in entailed for this issue.

Methodology

The appropriate methodology of this dissertation was obvious since the beginning. Indeed, this topic required particular and current insights of officers working in the relevant international organisations. It was also necessary to find out and confirm the partners of each of them to widen the research. Therefore, this research is mainly based on interviews. They were the means to obtain information about the nature of the relationships between the organisations which was not available in any publication. Such a methodology implied to obtain the approval of the University of Glasgow Ethical Committee and, once obtained, the participants were immediately contacted. A list was elaborated of all the persons that was important to meet in the following organisations:

-UNESCO

-ICOM

-INTERPOL

-UNIDROIT

-WCO

-UNODC

-The European Commission

-ICCROM

-ICOMOS

-A source close to the UN

All have been contacted by email and the interviews occurred in June and July 2016. Those who kindly replied and accepted to have an interview are highly thanked again. Obviously, confidentiality was very important in this research and the preferences of the interviewees have been strictly respected. The participants received an information sheet describing the project and what was expecting from them, then they had to sign a consent form in which they had to agree to have their name and position mentioned or not and if the interview could be audio recorded. In such a case, the audio file was then uploaded to a safe digital space.

These interviews were conducted in English or French, if the interviewee was French, and in person when possible, it was the case for UNESCO (Paris), UNIDROIT (Rome), INTERPOL (Lyon), WCO (Brussels) and the European Commission (Brussels). The others took place via Skype or phone. It was agreed with the supervisor that the best type of interview was semi-

structured. This means that the researcher made a list of questions, between eight and ten, which aimed at leading the interviews but when questions arose during the discussion they were asked. This allowed to go more in depth on certain aspects and provided a less strict framework than structured interviews.

The interviews were reported and analysed by themes afterwards. These themes included their own work in this fight, the work relations with the partners and the case of ISIL for instance.

The other facet of the methodology is the literature review. The publications of the organisations, on paper or online permitted to complete the interviews in providing more detailed information on their work and project. They also helped, with academic texts, to understand the legal framework of the fight against the trafficking of cultural property. Certain books of experts were interested in the role of the main organisations and some on the particular issue of ISIL which required specific information.

Literature review

The literature on the illicit trafficking of cultural property is obviously large and important authors, as Mackenzie (2002) or Polk (2014) for instance, have been interested in the features and steps of this transnational crime. However, regarding the actors of this fight and especially the international organisations, the amount of books is smaller. Nafzinger (1972) addressed this question, he explained the importance of the NGOs and defined the legal framework of the fight with the relevant conventions, but he remained focused particularly on one organisation: ICOM. Prott (2009), addressed the role of UNESCO's Conventions and provided analysis on their efficiency. This is interesting to learn more about UNESCO's action in this field and what were the expectations of the legal instruments when they were elaborated. In addition, O'Keefe and Prott (2011) gave the historical background of the illicit trafficking and the context of the creation of the legal instruments. They highlighted the importance and the shortcomings of the UNESCO and UNIDROIT Conventions. They also talked about the involvement of other international and regional organisations as the UN or the European Union. Then, the current director of programmes of ICOM, Ms France Desmarais (2015) recently edited along with other experts an interesting book on countering this traffic worldwide which gives regional insights

and recalls the legal framework; nonetheless we cannot learn more on the international organisations fighting this traffic and their relations. Besides, Mackenzie (2005) tackled the topic of the regulation of the market and reminded us the international instruments, he proposed some avenues to regulate the market itself.

Nevertheless, the role of the international organisations is not fully developed. Besides, numerous recent news articles mention relevant international organisations fighting against the traffic but there are only named and it is often said that they are collaborating without any more detail. The same statement can be done for the websites of these organisations which often list their partners but without developing how they actually work with them.

Therefore, this dissertation aims at starting to fill the lack of information regarding the inter-organisational collaboration in fighting the illicit trafficking, including itself in the extension of the work of experts interested in this field.

Findings

Introduction

This chapter aims to identify the organisations tackling the issue of illegal trafficking of cultural property and also look further into the working relationships between them. The research adopts the themes of the inter-organisational relations (IOR) theory as summarised by Steve Cropper et al (2008). The points made within this research will leave the reader to question to what extent this theory is applicable as a response to this international security issue.

Prior discussing the findings of this project, it is primarily important to present the relevant organisations and also to develop further on the IOR theory.

The Actors

The illicit trafficking of cultural goods is a transnational security issue, and as such it implies an international reply to be seriously tackled. This trafficking involves several areas of competence and no organisation is solely responsible for each of the relevant areas that are in place as a response towards this issue. There has been an increased need for collaboration at an international scale; this has involved expert groups and organisations coming together to utilize the opportunity to share expertise, tools and networks in order to tackle this common goal. By following this system it is allowing each area to bring particular benefits which others may lack, therefore strengthening the overall mission to stop illegal trafficking of such cultural goods.

The six main expert organisations are those mentioned in the introduction as following:
-UNODC
-UNESCO
-ICOM
-INTERPOL
-UNIDROIT
-WCO

They are the key organisations in the fight against the illicit trafficking, each of which operates in their own field and mandate which will be briefly detailed.

UNODC is an intergovernmental organisation founded in 1997, leader in the fight against the illicit drugs, international crime and terrorism (UNODC website). It has a mandate to fight the trafficking of cultural goods and it helps States to make the relevant conventions more effective and improve legislations.

UNESCO is an intergovernmental organisation, founded in 1945 to help States to maintain peace through "humanity's moral and intellectual solidarity" (UNESCO website). It acts in three areas which are education, science and culture. A key aim within the area of culture is to fight the illegal trafficking of cultural objects - this can be seen in the mandate which was adopted in 1970 - a convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. It is also depositary of the 1954 Convention related to the protection of cultural heritage in the Event of Armed Conflict and its two protocols (UNESCO website).

ICOM is a NGO created in 1946 by and for museum professionals (ICOM website). It is very involved in this fight through several tools and has a wide professional network. INTERPOL was created in 1923 (known as INTERPOL in 1956), it is the world's largest international police organization, with 190 member countries (INTERPOL website). The Works of Art Unit is in charge of the illicit trafficking and participates notably through its stolen works of art database.

UNIDROIT was re-established in 1940, it is an independent intergovernmental organisation with 63 member states. "Its purpose is to study needs and methods for modernising, harmonising and co-ordinating private and in particular commercial law" (UNIDROIT website). Under the auspicious of UNESCO it developed the 1995 Convention on stolen or illegally exported cultural objects, which complements the 1970 Convention.

WCO was established in 1952 and "is an independent intergovernmental body whose mission is to enhance the effectiveness and efficiency of Customs administrations" (WCO website). It represents 180 customs administrations worldwide. It is involved in countering this trafficking in providing trainings and relevant information to customs officers notably through its platform Archeo.

In addition, the United Nations has a role to play in this fight since recently through the help of the subsidiary organ of the Security Council named the Sanctions Monitoring Team whose tasks include seeking the funding means of terrorist groups.

The relationships between each of these organisations are framed by memorandums of understanding which can be defined as "a law document that describes the general principles of an agreement between parties, but does not amount to a substantive contract" (Collins Dictionary). These documents are the legal framework of their relations, they allow them to work together and to share relevant information and means between one another without the need to be legally binding.

Although these organisations are the key actors, there are also others which are not as completely involved however still hold an element of importance. They are partners to certain of the main participant organisations - but not necessarily all of them. This is the case of ICOMOS (The International Council on Monuments and Sites) and ICCROM (The International Centre for the Study of the Preservation and Restoration of Cultural Property), which are advisory bodies to UNESCO for instance. ICOMOS is a NGO founded in 1965 which "works for the conservation and the protection of cultural heritage places" (ICOMOS website). ICCROM is "an intergovernmental body which provides expert advice on how to conserve listed properties, as well as training in restoration technique" (UNESCO website). Even though this project is mainly focusing on the work of international organisations, the experience of an important regional organisation, the European Commission was collected. It was established in 1958 and it "promotes the general interest of the EU by proposing and enforcing legislation as well as by implementing policies and the EU budget"[1], its Directorate General (DG) for Education and Culture has a specialised office for the illicit trafficking of cultural goods.

This research will detail the work of these organisations, and provide insight of the relevant officers working with them, who kindly accepted to participate in the project - in order to understand the collaboration which takes place. According to the confidentiality preferences each of them, the following sources were interviewed between June and August 2016:
-UNESCO, Mr Edouard Planche, programme specialist, Section for Movable Heritage and
   Museums, Division for Heritage, Culture sector
-UNIDROIT, Ms Marina Schneider, senior officer
-INTERPOL, Captain Corrado Catesi, coordinator, Works of Art Unit
-WCO, a policy advisor
-ICCROM, an officer at the ICCROM-ATHAR Regional Conservation Centre (U.A.E)
-ICOMOS, Dr Bijan Rouhani, Vice President ICOMOS International Scientific Committee on
   Risk Preparedness (ICORP) and ICOMOS Representative to the Blue Shield

-European Commission, a policy officer at the DG Education and Culture

-The United Nations, a source close to the UN

The Inter-organisational Relations Theory

The different aspects of this theory have been gathered by Cropper et al. in The Oxford Handbook of Inter-organizational Relations (2008). This theory which has roots in various disciplines, is relevant to this study since it is interested in the features and the outcomes of the relations between several organisations. This theory is based on two obvious concepts which are, first the organisations and second the relationships between them. The terms collaboration and partnership are distinguished like this: 'collaboration' implies a consensual relationship created to improve operations, while 'partnership' reinforces the notion of reciprocal motivation. It is applicable to all types of organisations, "the organizations can be public, business, or non-profit" (Cropper et al., 2008; p.4) and the relations can concern solely two organisations or many.

The theory aims to identify and highlight the properties of the relations occurring between organisations which are working for a mutual interest but which still remain to hold on to their independence. It proposes two main types of relations which may be interactive or non-interactive. If they are interactive this means that they imply sharing information and resources, whereas if being non-interactive they share "particular attributes—such as status, identity, cognitive structures, strategic positioning, or core technology" (Cropper et al., 2008; p.11). For the nature of this research focusing on interactive relationships is more appropriate. This kind of relationship can be broke down to three components:

-content: the shared resources, knowledge and their flow

-governance mechanisms: the way in which the relationships are coordinated, including, trust, reciprocity and incentives

-structure: opportunities and constraints of action of the actors, including restrictedness and clustering.

Furthermore, the chapter named "Collaborative Service Provision in the Public Sector" by Jodi Sandfort and H. Brinton Milward (2008; p.147-175), appeared in line with the topic of this research, even if it is mainly about public-private partnership. Indeed, it tackles the idea that

the public sector needs partnerships to ensure its efficiency. This idea became increasingly popular because the policy-makers realised that certain public issues cannot be addressed by one organisation as they "transcend the expertise and capabilities of any one organisation" (Sandfort and Milward, 2008; p.148). Certain issues became multidimensional and they required additional knowledge and new tools. Relevant public actors argue that collaborations and partnerships lead to increasing the efficiency of the service provided to citizens. Several scholars such as Agranoof and Pattakos (1979), Martin et al. (1983) and Kagan (1993) have identified four levels of service integration:

-policy level: concerns the decision-making bodies which provide the main programmes and permit the information to be shared

-organizational level: "the reorganization and creation of unified 'umbrella' agencies within government to improve the sharing of information and administration of existing programmes" (Sandfort and Milward, 2008; p. 153)

-programme level: the strategies are developed as well as the ways to exchange it with other organisations

-client level: concerns the impact for particular clients of the service.

The purpose of this chapter is understanding to what extent the working relations of the involved international organisations fighting the illicit trafficking of cultural property, can be included in the extension of IOR, and thus demonstrating that this theory can be applied to tackle an international security issue. Following the three components of the interactive relations proposed by IOR, content, structure and governance, this part will begin by showing that these organisations have a complementarity of expertise and tools. Following this the pattern of their relationships will be discussed and then the achievements and limits of their work. Lastly, we will focus on the particular and crucial case study of ISIL which was a milestone for this illicit trafficking and will be the opportunity to provide examples of measures.

CHAPTER 1: Complementarity of expertise and tools

This research allowed to understand that the organisations involved in fighting the illicit trafficking of cultural property have based their collaboration on gathering the expertise and the tools developed by each member in order to make not only their own work more efficient, but also that of the other members. Marina Schneider working for UNIDROIT said "the fight against the illicit trafficking of cultural goods is a mosaic", which means that each actor has his complementary scope of action necessary to address this issue as a whole. This trafficking is a real challenge because it covers very various dimensions which need to be tackled simultaneously, such as the legal aspect of the police and customs measures, or awareness raising which is also very important. The protection of cultural heritage was not among the first activities of many of these organisations but they got involved because of their knowledge and tools in specific areas which were helpful in tackling this issue. These tools and instruments have been completed or improved through the collaboration with other organisations. We will see begin with the legal area of this collaboration.

The legal area

This area will concern four organisations: UNESCO, UNIDROIT, UNODC and the European Union.

UNESCO has a unique place within this collaboration owing to its wider scope of action due to its large visibility and its higher share of financial and human resources. Mr Edouard Planche explains that UNESCO has a mandate for the protection of cultural heritage, which includes the illicit trafficking with the adoption of the 1970 Convention. This convention is the main international legal instrument against this trafficking, it is directed more towards national interest heritage, and less towards property in danger in case of war (Gibbon, 2005). It has been ratified or at least accepted by 131 States[2] and it has been completed by the 1995 UNIDROIT Convention. In addition, UNESCO is also depositary of the 1954 Hague Convention, related to the protection of cultural heritage in the event of armed conflict, it has two protocols which regulate the exportation of cultural property from occupied countries.

Furthermore on the matter, member States which want the restitution or the return of objects of a particular importance can call on the International Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation, when the situation is not covered by the conventions. This committee is composed by 22 member States and will work on negotiations, cooperation and research to permit the return of the property (UNESCO, website). UNESCO is thus very legally involved in this fight through its conventions which provide the framework of its action.

Another initiative was the 2003 the UNESCO Database of National Cultural Heritage Laws. This tool combines online the national laws of its member States and must be help to solve legal questions regarding the provenance of a good and provides a rapid access to national legislations. Only member States can provide UNESCO with information on their national law (UNESCO website).

This organisation aims to have an impact on the national legislations of member States, the markets and also on the structuration of their heritage bodies. Indeed, certain States like Italy (Carabinieri) or France (OCBC) have important units devoted to cultural property whereas others leave this issue with non-specialist services.

UNESCO highly benefited from the 2199 resolution[3] of the Security Council in 2015 and it wrote to bring this resolution to States' attention. It also asked them what the taken measures should be and provided sort of guidelines to help them to implement this resolution, the process continued with the 2253 resolution[4]. For instance it took the form of a roadmap at international and regional levels for the implementation of the Paragraph 17 of the resolution 2199. It involves the related international governmental and non-governmental organisations, which are: INTERPOL, UNODC, WCO, UNIDROIT, and ICOM. The guidelines are officially sent to States and they are discussed during the Meeting of member States to the 1970 Convention. UNESCO is thus in charge of the main legal instruments for this trafficking which concern a large number of States and provide a legal framework to its actions and a real importance to this issue towards the international community.

There is also, UNIDROIT, this is the organisation whose role is essentially located in the legal area, neither in the political one nor in the operational one. Ms Marina Schneider who is the sole officer working for the illicit trafficking of cultural goods detailed the involvement of her organisation which is a main partner of UNODC for the legal aspects of the illicit trafficking. Two instruments are available:

-the 1995 Convention: complementary to the 1970 UNESCO Convention, it was developed at

the States' request and has currently 37 contracting States[5]. Even if the number of contractors is not as important as those for the 1970 Convention, the choice was made to launch a convention which would try to remain efficient rather than a convention less powerful. Indeed, certain States claim for the possibility to make reservations to this convention which are not authorised. The 1970 Convention is more ratified by States because it is less binding. The UNIDROIT Convention permits uniform procedures for the restitution of goods. Lacks appeared in the concrete implementation of the UNESCO Convention and UNIDROIT in collaboration with UNESCO made this other convention. It provides a mechanism in international law for individuals to sue for the return of their stolen cultural objects and both conventions are of prime relevance for this field (Mackenzie, 2005), it allowed claims for their return to be brought before the courts of the signatory States (Gibbon, 2005). The convention establishes the notion of "due diligence" (Article 4(1)) (UNIDROIT website) which implies that the buyer, in verifying the provenance of an object, can prove their good faith. Due diligence requires tools provided by other organisations such as the stolen works of art database of INTERPOL or the Red Lists of ICOM which will be detailed later.

-The UNESCO-UNIDROIT model legislative provisions on State ownership of undiscovered cultural objects were launched in 2011. They are legal tools made in collaboration between UNIDROIT and UNESCO International Committee for Promoting the Return of Cultural Property which concern both organisations member States. They allow State's legislation to establish its ownership of the goods which are still underground: "to assist domestic bodies to adopt effective legislation for the establishment and recognition of the State's ownership of undiscovered cultural objects with a view, inter alia, to facilitating restitution in case of unlawful removal" (UNIDROIT, 2012).

Thus, UNIDROIT is part of the collaboration against the illicit trafficking thanks to its legal expertise and especially that of Ms Marina Schneider who has been in charge of this topic for many years now. UNIDROIT produced important legal tools which completed the UNESCO convention and participated in improving the legal framework of this combat.

Another important international organisation mainly working in the legal area of the illicit trafficking is a different UN body: UNODC. The information regarding the role of UNODC in this field comes from their publications and from interviewees of other organisations. UNODC is in charge of the legal aspects of the illicit trafficking. It carries out various activities one of

which being reinforcing the power and the implantation of the UN Convention against Transnational Organised Crime, adopted in 2000, whose many dispositions are of relevance and applicable to the protection of cultural heritage (Planche, Interview June 2016). Another main activity of this organisation is adapting international conventions to different environment and encouraging Nations to adopt them, is the task of UNODC (Catesi, Interview July 2016). In addition, the Salvador Declaration as a result of the 12th United Nations Congress on Crime Prevention and Criminal Justice (April 2010), in its Paragraph 9 "urged States to develop effective legislation to prevent, prosecute and punish this crime in any of its forms and to strengthen international cooperation and technical assistance in this area (including the recovery and return of cultural property), bearing in mind relevant international instruments, including the Organized Crime Convention where appropriate" (UNODC website). Then the 13th Crime Congress (April 2015), adopted the Doha Declaration, in which States committed themselves to implement measures towards national legislations and help the international collaboration in this field.

UNODC released important guidelines, adopted by the General Assembly in 2014, on three areas aiming to help national policy on cultural property "prevention strategies, criminal justice policies and international cooperation to ensure the return, and restitution of cultural property" (UNODC website), the later makes UNODC an important partner of UNIDROIT. These guidelines are based on relevant international law instruments and current national practices, they were elaborated by the international expert group on protection against trafficking in cultural property.

Moreover, UNODC developed the Practical Assistance Tool to assist in the implementation of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences. This tool was made to help the implementation of the guidelines mentioned before, "it is designed for use by relevant national authorities, law enforcement authorities, practitioners and policymakers working in the field of cultural property. UNESCO and UNODC participated in the launch of this tool (Schneider, Interview June 2016). There are also proposals for the practical implementation of some guidelines which may also be relevant to individuals and legal officers working in the licit art market and related areas (UNODC, 2016).

In 2003, UNDOC launched a special partnership with WCO named the Container Control Programme. It was made for intercepting drug shipments but has been increasingly utilised for other goods, including cultural property (UNODC, website). This programme provides a training for custom officers and it permitted to seize canons stolen from the UNESCO World

Heritage site of Fort of San Lorenzo in Panama.

UNODC has a strong role to play in the legal sphere, especially within the penal area of the illicit trafficking. It aims to be involved in the national legislation of States, which is a tricky part of this fight.

Lastly, the role of a regional organisation will be developed: the European Union. This study is about international organisations however, it will provide further insight to tackle the way a regional organisation of importance deals with this topic. The insight of an officer working for the specialised office at the Directorate General for Education and Culture at the European Commission was collected.

First of all, since this part is about the European Union it is crucial to talk about the importance of the EU Directive 2014/60 on the return of cultural objects unlawfully removed from the territory of a member State and amending regulation, released in 2014, which is an achievement of the fight against the illicit trafficking. It aims to facilitate the restitution between member States and for this purpose it was based on the UNIDROIT Convention and used almost "word for word elements of the Convention like due diligence and the reversal of the burden of proof" (Schneider, Interview June 2016). Therefore, the most important components of the convention are integrated into the convention which is legally-binding towards member States. Thus, the States which did not ratify the UNIDROIT Convention will still have to apply it through the implementation of the directive (Schneider, Planche Interviews June 2016). The collaboration between the EU, UNIDROIT and UNESCO appears with such a document which helps the work of all the members of the collaboration.

Besides, the main role of the Commission in this combat is funding activities of other organisations, such as UNESCO. It puts a sum of money at the disposal of UNESCO for its projects related to this issue. It also funded the ICOM Observatory on Illicit Trafficking in Cultural Goods that will be discussed later.

Until recently the issue of the illicit trafficking was not seen as a serious matter for the Commission, there was not any specialised service and it was dealt with by the DG for Home Affairs, the DG for External Action or the DG for Taxation and Custom Union for instance. It was not tackled as a whole but more by sectors with the relevant DG. The work plan of DG Culture for 2011-2014 wanted to improve the services for this field which may propose toolkit including European good practice guidelines and a code of ethics on due diligence considering EU instruments in this area. This is when the Directive 2014/60[6] was conceived. Then, the new work plan of the DG for Education and Culture for 2015-2018 in which the idea of a toolkit and

guidelines was abandoned but it was recommended, especially by Germany, a study on this trafficking and particularly on the imports issues. Indeed, at the EU level an import regulation is lacking. What is exported from and what circulates within the EU is regulated, but not what is imported. Currently the EU is doing a mapping exercise in order to analyse the national legislations on illicit trafficking as well as the customs and import issues. Three other countries are also being consulted: Switzerland, the USA and Turkey. The final report is expected in September with an outcome of a recommendation to establish a European regulation on imports and possibly with other measures like awareness raising campaigns or trainings for custom officers.

The Commission is likely to become an important actor in this field because Europe is a crucial place for the illicit trafficking since numerous States are known as markets for these goods. The EU owns important legal and financial means which can truly help the work of the international organisations.

The legal area could be located upstream regarding the collaboration in which we are interested, now we will move towards the control area with the police and customs stakeholders.

The control area

This area has two main intervenors which are INTERPOL and WCO, respectively working in the police field and in the customs field.

The vision of INTERPOL is connecting police for a safer world. The information was collected from Captain Corrado Catesi who is the coordinator of the Works of Art Unit, during an interview in July 2016. His organisation is the only international police organisation and it has 190 member States. INTERPOL does not lead international investigation, its duty is simplifying the issues for international police colleagues.

Member States have their own National Central Bureau (NCB), usually located in the capital city, through which they can exchange with INTERPOL which has a sure network available 24/7. It can receive, analyse and treat information that they receive from police bodies that is why these bodies are composed mostly by police officers because they need to speak the same

language, jargon. Then, officers centralise information to identify crimes and criminals. The international support is possible through three offices: Lyon (headquarters), Buenos Aires and Singapore. In addition, INTERPOL has seven regional offices and two liaison offices, one to the UN and one to EUROPOL.

Interpol works in 18 areas, the Works of Art Unit being one of them. The illicit trafficking of cultural property is a multiform traffic where 70% of the cases concern goods stolen and sold in the same area. A small part, concerning the most expensive items, goes abroad. INTERPOL has two important tools for fighting the illicit trafficking:

-Stolen Works of Art Database

-Posters

The database is a major tool which records about 46 000 objects (Catesi, Interview July 2016), it was launched in 1995 under the auspicious of the UNIDROIT Convention, article 4 talks about specific register which should be updated to help the buyer to achieve due diligence. From1995-2009, this database was only accessible to police forces. In 2009, the former coordinator decided to open it to all stakeholders which actually means every interested person. In order to get access it is necessary to fill a form and within 24 hours the login information is received. There is no sensitive data, it is only about the features of the objects. This is the only database which is directly updated by the owner, too specific to have this activity delegated. The documentarist is the only person of the unit who works alone in an office, because the information has to be as detailed and as correct as possible. The features of the goods are divided into 25 categories of objects (palaeontological, contemporary etc.). These categories were elaborated on the basis of those of the Object ID made by ICOM, they are very close except for a few small details.

The information related to the stolen objects is centralised only when it is provided by the NCBs and then it is shared at 90% with member states. INTERPOL has memorandums of understanding with UNESCO and ICOM which permits to accept information related to works of Art also coming from both organisations which have a strong network. For certain countries it is not easy to get accurate information from them, for instance when they are in a situation of conflict or natural disaster, they need to prioritise human issues.

Last year was significant, 46 610 objects were recorded and 48 000 research was made in this database; 18 000 searches were made by NCBs and the specialised units and the rest by the private sector, it was a real success (Catesi, Interview July 2016). A disclaimer was added afterwards on the request of other international organisations notably UNIDROIT (Schneider,

Interview June 2016). First the coordinator thought it was not necessary but after meetings and workshops it was decided it was helpful. Indeed, if one gets a negative result after a research of a property in the database it does not still mean that it is not stolen.

Regarding the posters, they have been modified, first they were like a journal and now they are in colours. The aim is the same, putting on display the six most wanted objects coming worldwide and of any type. The goal is to raise awareness for this purpose the posters are sent all over the world through the partners. INTERPOL can make special posters, for instance this was the case for the theft of 17 pieces at the Verona Museum in 2015. All the items shown on the poster were recovered and obviously this is not only thanks to the poster but it surely helped.

INTERPOL through its Works of Art Unit is very involved in the fight against the illicit trafficking, it provides the police authority to the collaboration and two main tools which support the work of other organisations. It brings in the global police network as well, which is necessary to contain and prevent the movements of cultural property.

In this area it is relevant to talk about the role of WCO in this fight. The information on this organisation was provided by a policy advisor interviewed in July 2016.

Customs are responsible for the cross border movements, it is the moment where the objects can be detected. The role of customs in countering this traffic was recognised a long time ago. WCO entered the collaboration through its Regional Intelligence Liaison Office in Western Europe which developed a platform named ARCHEO, hosted by WCO. It aims at exchanging information on seizures, best practices, trainings and assistance (WCO website). First it was open only for Western Europe for combatting this trafficking in this particular region. It was working but not extremely effective. After the recent global alert related to Syria and Iraq it was decided to expand this platform to a global level. It was open to the police, which was new since the platform was made for and only for customs. This implies a close collaboration with INTERPOL and certain functions of ARCHEO will be developed with the assistance of ICOM. It was then decided to open it to academia to fill the lack of expertise related to object identification. The platform is particularly useful for information exchange within short timeframes. For instance, at the airport where you cannot keep the objects too long and you need information quickly, in which case the answer is provided within 48hours. It may not be classified as evidence which can be taken to the court, however it gives an idea of what should be done with the object. It is important for the custom officers who do not necessarily know

what kind of object they have to deal with. This platform was improved and revised last year, new functions were added and the library was improved for two reasons:

-to include the international partners of WCO

-to expand it to other stakeholders: the police and academia.

The question of the overlap with the Stolen Works of Art database of INTERPOL can arise. For the policy advisor working at WCO these databases do not confront each other, instead they complement one another. ARCHEO is a communication platform for archaeological good. This means that it is made for the persons who need more information on objects. Therefore, ARCHEO allows to connect relevant experts and law enforcement officers in order to establish whether these objects are original and have any value. It is for the situation of when one has an archaeological object which is not registered in any type of database so it allows the means to recognise it when it crosses the border.

The INTERPOL database is a database for works of art foremost and for stolen works of art. This database provides information about objects which are registered by the relevant parties. ARCHEO is used when all the valid databases have been checked and the objects were not found, which does not necessarily mean that they were not stolen.

WCO and UNESCO launched about 10 years ago the UNESCO-WCO model export certificate for cultural objects. This certificate "fulfils requirements for identifying and tracing cultural objects, yet it is not overly burdensome for exporters and customs officials" (UNESCO website). UNESCO and WCO encourage States to adopt this certificate, even partly. Furthermore, the WCO Council Resolution on the Role of Customs in Preventing Illicit Trafficking of Cultural Objects was adopted in July 2016. It proposes measures to contain the trafficking, as the participation to ARCHEO, the further use of the certificate or the importance of the collaboration with all the stakeholders (WCO, 2016).

The involvement of WCO is of importance especially for the transit part of cultural goods, it brings complementary tools and another network to the collaboration which are customs administrations.

It is relevant now to tackle the organisations which have a role in the protection of the goods on the ground, which act in prevention with the relevant local stakeholders, for instance museums.

On the ground

This part will mainly concern three organisations: ICOM, ICOMOS and ICCROM.

ICOM is a nexus between the fight against the illicit trafficking and the museums network worldwide with 35 000 members including 20 000 museums (ICOM website). The information about ICOM come from its website and interviewees from other organisations. ICOM is very involved in this fight and provides several tools to contain this trafficking, which can be seen as applicable on the ground since they are addressed to the museums and the cultural goods themselves.

ICOM has launched The ICOM Ethics Code for Museums in 1986 and it has since then been amended and revised afterwards. The members commit themselves to follow this code which details the rules regarding the acquisition and transfer of collections. For instance its article 2.3 provides that "Due diligence in this regard should establish the full history of the item from discovery or production". ICOM thanks to the funding of EU created an International Observatory on Illicit Traffic in Cultural Goods which is an "international cooperative platform network between law enforcement agencies, research institutions and other external expert stakeholders", it is meant to have an impact at international and national levels (International Observatory website).

In addition, ICOM has developed important tools, mentioned by many interviewees as very relevant for this fight:

-The international standard, Object Identification (Object ID) which aims at making the identification of objects in jeopardy easier. It was elaborated by the Getty Information Institute in 1997 and it gives the main information of an archaeological, artistic and cultural objects to help with their identification. The Object ID was made through interviews and surveys with "museum community, international police and customs agencies, the art trade, insurance industry, and valuers of art and antiques" (Object ID website). INTERPOL as we saw also included this Object ID in its database. This tool recalls the importance of the documentation when fighting the illicit trafficking and ICOM with UNESCO and other relevant organisations organise workshops for its implementation. The Object ID helps police and custom officers to pay more attention to certain goods which have not been properly documented

-The One Hundred Missing Objects collection present objects that have been stolen from public

collections or looted from archaeological sites in a given region of the world.

-The ICOM Red Lists shows categories of property which are in danger for a specific region. ICOM does that for many parts of the world, depending on the level of emergency of the situation. The Red Lists are not a list of stolen objects but a list of categories of goods at risk. INTERPOL on its website explains that "These tools are transmitted to the police and customs officials worldwide through INTERPOL and the World Customs Organization. They are also distributed to museums, auction houses and art dealers".

ICOM, thanks to its numerous tools and network among museums, is part of the six recognised expert organisations fighting the illicit trafficking.

It is also relevant to talk about ICCROM, which is an intergovernmental organisation in charge of the protection of cultural property. Its role was explained by an officer working in the Regional office in the United Arab Emirates who was interviewed in July 2016. This organisation is more technical than political, which is why its place is within this chapter. ICCROM provides particular information through its means like websites, this information can be about specific damages on lootings and destructions.

It also organises training and capacity-building activities for professionals working in cultural heritage field but also for those involved in controlling this traffic, like the police, customs and military. The role of ICCROM is more educational, and it aims to assist stakeholders in managing issues regarding the protections and conservation of cultural property, which is part of its mandate. In this idea people of ICCROM provide teachings, training and guidance through the published material. Research is also among their activities in order to "take an interdisciplinary approach and integrate the results of research in conservation-related fields" (ICCROM website) and in their programmes as well.

There is also, ICOMOS, which is a NGO which has been mentioned as a partner by other organisations as well. Dr Bijan Rouhani, Vice President ICOMOS International Scientific Committee on Risk Preparedness (ICORP), accepted to explain the role of ICOMOS. Its role is specialised in the protection of immovable cultural heritage, its scope is about monuments and sites. It has partners for fighting illicit trafficking and lootings thus it is concerned even if it is not specialised in movable cultural objects. This organisation monitors the damages and provides accurate information to other actors. It is involved in the development of new tools

and trainings to local experts. For instance it is a partner of the NGO CyArk which helps to develop the 3D documentation of cultural sites before a possible disaster. The case of ISIL will be the opportunity to see the concrete actions of ICOMOS.

Dr Bijan Rouhani is also ICOMOS Representative to the Blue Shield, and developed the way this committee is involved. It was established in 1996 and it works to protect world cultural heritage threatened by natural and man-made disasters. The name of Blue Shield comes from the emblem of the 1954 Hague Convention, adopted after the considerable damages caused on cultural heritage by the Second World War.

Initially, it was founded by four organisations: ICOM, ICOMOS, IFLA, ICA. The idea was covering all the aspects of cultural heritage, therefore in addition to ICOM, for cultural property and ICOMOS, for immovable cultural heritage, there are:

-IFLA: International Federation of Library Associations and Institutions. This organisation works towards sharing the knowledge on protection of cultural heritage and its Preservation and Conservation Strategic Programme aims at protecting library and archival materials by maintaining them in accessible form (IFLA website). IFLA provides training and expertise to respond to emergency situations

-ICA: International Council on Archives - which is devoted to the good management, use and care of the world's archival heritage via its "representation of records and archive professionals across the globe" (ICA website).

The Blue Shield is a relevant platform to exchange information about threats, risks, lootings, and natural disasters, from different sectors (museums, libraries, archives) and different NGOs. This year the Blue Shield unified different committees to unite under the one structure where the members are working on a new policy, a new strategy that will probably be released by the end of this year.

This committee has its role in the international collaboration of countering the illicit trafficking. For these NGOs being united under the umbrella of the Blue Shield is probably a means to get more weight at the international level.

Finally, it is necessary to cover aspects common to almost all of the organisations which is raising awareness and training. It is part of their job and it is of importance for their capacity of action because it helps to make people concerned, interested and prepared.

Raising Awareness and Training

These activities contribute to the work of each organisation given that it aims to make people more involved, informed and careful with cultural heritage. Raising awareness can take the form of campaigns, projects, tools or publications.

Among the tools listed previously certain ones are not only useful for some stakeholders, they are also components of raising awareness. For example, the Red List of ICOM are available online for the public for instance, therefore they make people aware of what type of goods are in danger and in which region of the world they are located. The INTERPOL database open to those of interest, and the posters which are spread worldwide have to be considered as an awareness raising activity. WCO has developed a platform open to the public named IRIS which "utilizes Web-crawlers to search the Internet for news items and presents this information in a graphic-style world map in real-time" (WCO website). This is a tool which allows you to gather information in real time, where you can choose which type of news you are interested in. Customs officers, with a specific login, can choose the kind of news they wish to see. The general public has access as well and there is a category for cultural objects which includes seizures of cultural goods for instance (Policy advisor at WCO, Interview July 2016).

UNESCO due to its wide visibility, has an important programme for increasing public awareness. In 2016 awareness-raising clips about the fight against illicit trafficking started being broadcasted in airports of sensitive regions (UNESCO website). Following the recent events in the Middle-East UNESCO launched the campaign called #UNITE4HERITAGE in 2015. This campaign which was streamed across social media, has a role in communication as counter-propaganda against terrorists "because it is also an ideological war" (Planche, Interview June 2016). It was made in reaction to the destructions in Syria notably but it aims to "celebrate and safeguard cultural heritage and diversity around the world promote" (#unite4heritage website). It is interested in four main fields of heritage: cultural diversity education, cultural expression, illicit trafficking and built heritage (#unite4heritage website). In addition, UNESCO has another campaign on social networks, launched in 2015 with the *Comité Colbert*, an association of French luxury houses and cultural institutions, which works to promote cultural heritage and creativity. It highlights the fundamental role of heritage and creativity in the development of countries and recalls the international legal instruments devoted to their protection (UNESCO website). It is not focused on the illicit trafficking but it is a means to reply to destructions and lootings (Planche, Interview June 2016).

Training is also an important part of this fight. UNESCO, supported by WCO, organise trainings and capacity building exercises, as was seen in Lebanon in 2015[7] with Syrian and Lebanese stakeholders5. This is interesting for both strategic and operational levels (Policy advisor at WCO, Interview July 2016). The relevant NGOs are very involved in local training, for instance in May 2016 in Tunis[8], the event organised by ICCROM also aimed to train local stakeholders such as: law enforcement agencies, cultural ministries, representatives of the archaeological and academic community. ICOMOS and ICCROM organised training courses for the protection of heritage in times of conflicts or disasters. The purpose of this is to learn how to provide first aid to cultural heritage. The ICOMOS members and experts usually collaborate with ICCROM in that course (Rouhani, Interview July 2016).

This section allowed us to understand the areas of work in the involved organisation in countering the illicit trafficking and how they complement each other's work. Indeed, since this trafficking is multidimensional the participation of all the relevant organisation is needed because they all bring something to this collaboration. Thus, it is clear that these organisations are experiencing interactive relations, as defined by IOR. They are in effect essentially about sharing information, resources, tools and networks. As such they imply three components whose the first, the content, has been addressed. Now, the focus will be on the second component, the governance mechanisms - which will outline the pattern of their relationships.

CHAPTER 2: The Pattern of Relationships

Identifying a Scheme

This research aims to figure out the way the collaboration between these organisations takes place and what kinds of work relationships are needed. IOR defined this part of collaboration as governance mechanisms, which means the coordination of the relations and the potential reciprocity and incentives which impact the organisations. The goal was to grasp if the relations could be divided into levels or categories and if a scheme was identifiable.

First, the conducted interviews permitted to quickly realise that these organisations are perfectly aware of their belonging to an international cooperation and their role within it, this is especially true for the six more important organisations. Cpt Catesi at INTERPOL for example said the following about this illicit trafficking, "It is complementary: different positions for the same goal". This idea is common to all the interviewees and they all promote the work of one another, insisting on the fact that everyone is needed and that none would be able to tackle this issue alone.

IOR's scholars proposed four levels of service integration within inter-organisational collaboration which are the policy level, the organizational level, the programme level and the client level. The latter will not be applicable to the field of the illicit trafficking because the international organisations are governmental or non-governmental and do not have proper customers. A nexus has to be made with the words of Mr Edouard Planche at UNESCO, who talked about a "multilevel cooperation which needs to be achieved at the same time" and developed three steps of cooperation that UNESCO practices at least with its five main partners in countering this trafficking, as following:

-political cooperation which concerns the agency heads who will act in order to reach their own member States and the UN if necessary

-programmatic cooperation is the level where the specialised officers will inform, help through messages, letters, and conferences and they will also alert their members

-operational and training cooperation, which is for particular officers who work on the ground like the police, customs or experts.

The political cooperation is the beginning because this is the step where an issue can reach a higher scale thanks to the work of agency heads towards their member States or members, this is the case for the ISIL case as we will see. When an issue becomes a priority new means are deployed and we move towards the programmatic cooperation. This level covers the role of the officers working for the specialised units of the organisations. They will assist States or members in the implementation of measures to fight this trafficking, organise meetings with the stakeholders, raise awareness or alert them of important events. Lastly, it is the operational level, which is important for those working on the ground and who have to physically deal with the goods. Therefore, the cooperation aims at providing them with trainings and relevant and accurate information on cultural property to help them in their action.

This scheme detailed by Mr Planche and confirmed by the policy officer working at WCO explaining that it collaborates on these levels as well, underpins the integration of this inter-organisational collaboration into IOR given notably the similarities of the levels division. It can be relevant at least for UNESCO, INTERPOL, WCO, UNODC and UNIDROIT.

It is worth noting that this structure is the vision of UNESCO towards its main partners but not all the organisations identified this three steps-division into the relations with the others. Indeed, some only did for certain levels. For instance ICOM and ICOMOS are NGOs therefore their action on the political level is weaker, nonetheless they still collaborate actively on both other levels. The scope of action of these organisations in all the levels is obviously uneven. In effect, the political weight towards the international community of UNESCO, UNODC or INTERPOL is not the same as that of UNIDROIT. Ms Marina Schneider explained that for some people UNIDROIT is known as a convention and not as an organisation, its visibility is not as large as UNESCO's.

Incentives and Reciprocity

Throughout this research it was very clear that all the organisations are very aware of the importance of this collaboration and grateful of each other's work. They all know that they do need each other to cover all areas of the fight against the illicit trafficking. For most of them the trafficking of cultural goods it is only a part of their mandate, as INTERPOL, WCO or UNODC, which means that they retain their independence, and thus no incentive was really visible, at

least for an external researcher. However, the case of INTERPOL and the disclaimer added to its database is the result of incentives of partner organisations. This can demonstrate that if necessary the others can influence one organisation but only for details in comparison with the rest of the work.

These organisations have a role of initiative and they organise regular meetings, where all the stakeholders are invited in order to strengthen their links and think of further ways of improvement. Recently, in March 2016 UNESCO organised a round table dealing with the movement of cultural property: regulation, international cooperation and professional diligence for the protection of cultural heritage, it was an occasion for the relevant people to discuss this topic. There were international organisations, actors of the art market like the French *Conseil des Ventes* and academia there as well. UNESCO, INTERPOL and UNODC went three times in 2016 in New York to the UN to highlight their role in this fight towards member States and encourage them to adopt the conventions. In May, ICCROM organised the International Experts Meeting on Safeguarding Libyan Cultural Heritage, in Tunis. The same stakeholders were invited which shows the will of the organisations to make this fight as effective as possible regardless of any hierarchy.

These organisations support and help the initiatives of one another. Ms Marina Schneider explained that UNIDROIT can benefit from a meeting organised by UNESCO for instance to schedule its own meeting the day before, so that it is a way to make sure that the number of participants is as high as possible. In 2016, Ms Marina Schneider and Mr Edouard Planche both went to the UN in New York to talk about the seriousness of the threat to the French-speaking countries and the need to ratify the conventions. In addition, WCO is part of INTERPOL working group of experts for instance, the policy advisor met for this research highlighted the close collaboration between both organisations. Besides, the websites and the publications of all the organisations mention the work and the tools of each other. The International Observatory on Illicit Traffic in Cultural Goods displays all its partners including international, regional and local organisations, with the relevant contact information. INTERPOL for instance on its website promotes the role of the ICOM Object ID and a video of the UNESCO Venice office on the trafficking in Eastern Europe.

Reciprocity is a key element of this collaboration and this is probably what constitutes its real strength. The organisations are part of a network and understand that they would be more powerful if they appear helpful and united.

Despite the working relationships between the various organisations the question of leadership

can be considered within this collaboration. Surprisingly there was not a consensus on this aspect. Indeed, for most of the interviewees among the six main actors, including the largest, there is no leading organisation, they are all different and complementary and none feels like it is working under the umbrella of another. We saw that there are not overbearing incentives of a particular group and that the power of initiative belongs to all, therefore there is not a feeling of hierarchy. Nevertheless, for a small number, working very closely with UNESCO, it is the leading organ owing to its big visibility and larger means of action. It has indeed a wider range of actions and the protection of cultural heritage, being that this is an intrinsic value of UNESCO. This was reinforced by the UN Resolution 2199, aiming at fighting the funding of terrorism, which explicitly makes UNESCO and INTERPOL the two figureheads of this combat against the trafficking of cultural property.

Consequently, it is not actually possible to say that UNESCO is the leading organisation because a leader can exist only if it is unanimously or at least mostly recognise as being such, but which is sure is that this collaboration could not be as strong as it is without UNESCO especially towards the international community.

This chapter was about the governance mechanisms of this collaboration and tried to identify the scheme of the relations between the organisations and the principles of reciprocity and trust in place. In the final chapter we will address the achievements and limitations of this international collaboration.

CHAPTER 3: Achievements and Limitations

This part will highlight both the accomplishments and shortcomings that this inter-organisational collaboration allows for in the fight against illegal trafficking of cultural goods. Regarding the IOR theory, this will be linked with the last component of the interactive relations: the structure. This element is interested in the opportunities and constraints of the action of the organisations in their work.

Achievements

Belonging to its collaboration is a real asset for all the organisations fighting against the illicit trafficking and this is embodied in several achievements. Mr Edouard Planche detailed some of them and first he said that it permitted to obtain the recent UN Resolution 2199, legally-binding and which makes UNESCO and INTERPOL the figureheads of this fight. This is the outcome of the inter-organisational relations between the relevant organisations and the UN. It also permitted as we saw to obtain a European directive very close to the UNIDROIT Convention which demonstrates that the collaboration has developed States' awareness. This aim of raising awareness was supported by the launch of international campaigns which are widely spread thanks to the participation of the partners worldwide.

Furthermore, Mr Planche argues that working with certain organisations provided the fight with more credibility towards the art market in particular. Indeed, INTERPOL is a police organisation which is a powerful control organ, it is carefully listened when it tackles an issue. Therefore its participation is an asset towards the art market which is not always cooperative. This organisation and WCO brought their precious networks of policemen and customs officers worldwide who are concerned by the illicit trafficking. Therefore their training and awareness has been improved, this is crucial because they are on the ground and they have a role to play in preventing the transit. Furthermore, inter-organisational collaboration has also enhanced the international cooperation in several related topics, such as police investigations, arrests and prosecutions of criminals and also restitutions of goods to countries of origin. Many tools were developed like the Red List or the databases which are becoming more and more utilised by the relevant people worldwide.

This international collaboration succeeded in having a web of organisations complementary covering all the fundamental aspects of the illicit trafficking, which can rely on each other. Despite this they still encounter certain limits in their work which can be internal or external.

Limitations

The interviewees in general do not express huge limitations in their work however they actually undergo obstacles which can be internal or external.

At the internal level, many organisations - including the biggest - mentioned a lack of human and financial resources. Indeed, the teams are often too small to be as efficient as it would be necessary. This is the case for INTERPOL, whose the Works of Art Unit is composed by four people. UNESCO confirmed this, saying that this funding and staffing situation is not in line with the seriousness of the threat. UNIDROIT has only one officer working on this topic but the organisation itself is quite small and has no regional offices. In addition, NGOs like ICOMOS relies on volunteers because it is a challenge to raise funds and it is thus difficult to achieve long-term projects. If we take the example of the European Commission we can see serious organisational issues regarding the illicit trafficking. The officer who was interviewed for this research explained that he/she is in charge of this topic at the DG Education and Culture but it is quite new for the Commission to be interested in that. Therefore, the problem is that the issue is spread in several services which prevents an efficient response. This officer is trying to gather the information and coordinate the action of the Commission but the communication between the services does not work perfectly and the officer struggles to interest the concerned colleagues in other directorates.

Besides, there are limits related to the nature of the organisations. In effect, for instance UNESCO is not a humanitarian organisation therefore it cannot intervene on the ground to protect threatened sites. INTERPOL and WCO are not international police forces, they were made to coordinate the efforts of national police and customs services but cannot act directly.

The external level covers elements that the organisations have to face but whose they are not responsible for. What was recurrent as limit during the interviews is the will of States to implement all the measures. Indeed, these organisations provide States with tools, measures,

advice or alerts but it remains a national decision to act towards this trafficking. That is why UNESCO and UNIDROIT keep encouraging States which have not ratified the conventions to do it as quickly as possible, especially for UNIDROIT whose convention has 37 contracting States. Another example is the UNESCO-WCO model export certificate for cultural objects which was not a real success being that it is up to States to implement it and only some of them did and sometimes solely partly. This shows the need for both organisations to find alternative ways to improve their implementation.

INTERPOL is dependent of the States' action, for instance its database is a very helpful tool but it needs to be fuelled by States' information but so far among the 190 member States of the organisation, 131 States do. This situation is mainly due to administrative reasons. Each country encounters its own obstacles and priorities which can lead it or stop it from sharing data, which even if it does it is still dependant on its accuracy. Thus, "the organisations working in the protection of cultural goods can find themselves in a situation where not enough data is available for a proper analysis" (Vasquez, 2016; p. 39).

Another issue is that certain States do not prioritise this issue. Many States essentially for financial reasons do not have any national specialised unit, which means that the issue is addressed by non-specialist services. Also, UNIDROIT explained that certain States are currently closing specialised administrations, like Switzerland and Belgium. A source close to the UN shared that the Sanctions Monitoring Team made a specific recommendation to the Security Council which proposed States to make some of their ports specialised in particular goods, like cultural goods, which may permit a better monitoring of the arrivals. Unfortunately, among the 15 states one refused so it was not accepted.

Finally, it is relevant to mention the impact of the art market lobby whose strong opposition was clearly recalled by UNIDROIT and the source close to the UN. Certain actors of this market claim that the work of these organisations is seriously impacting their activity. Their role in the implementation of measures to counter this trafficking has to be taken in account especially in regions like Western Europe known as a very important place for this market. That is why they are regularly invited to meetings with the other stakeholders to express their ideas on this topic.

The achievements and limitations are great and show the scope of this collaboration, which has as main obstacle: the will of States to fully participate to this fight.

Since we have addressed the features of inter-organisational collaboration in countering the illicit trafficking we will move towards a case study, that of ISIL, which is a milestone in the history of this fight.

CHAPTER 4: The Case of ISIL

This case needs to be displayed for two reasons; first, it is of importance for the collaboration of the organisations which work for the protection of cultural property. Second, it revealed the nexus between security issues, namely the illicit trafficking of cultural property, which is a transnational crime, and terrorism.

The current situation of the security of Syrian and Iraqi cultural heritage is very serious. This region of the world is the birthplace of the first agricultural economies and of the major religions (Danti, 2015). Unfortunately, extremist jihad has targeted cultural heritage for decades now, for example the explosion of the Bamiyan Buddhas in Afghanistan in 2001 which deeply shocked the world. The conflict which still continues to take place has permitted the terrorist organisation ISIL to be responsible of at least 250 intentional destructions of heritage sites across the region (ASOR Cultural Heritage Initiatives data, in Danti, 2015; p.138), "as part of an overt policy of cultural cleansing" (Danti, 2015) and a reporting of the Security Council (S/2014/815, 2014) says that ISIL encourages the lootings and earns revenues by taxing the looters. It adds that the utilised material in the sites is heavy including bulldozers. Muslim heritage is damaged but what caught the public attention is foremost the recorded destructions of pre-Islamic heritage as in the Mosul Museum, in Nimrud and Hatra (Danti, 2015) and of course Palmyra.

Therefore, this terrorist group impacts cultural heritage in both ways: destructions and looting. Dr Bijan Rouhani at ICOMOS detailed the three types of looting taking place in the region:

-illegal excavations which means destroying an archaeological site. This seriously impacts historical understanding of sites and in turn affects their archaeological value

-thefts and lootings from archaeological storages. These storages are often near the sites and they are neither well recorded nor well monitored

-dismantling of historic buildings. Decorative elements with historic values are pulled out and smuggled, this is happening in Aleppo for instance.

Given the situation it is possible to say that implementing projects for the protection of cultural heritage was "both incredibly difficult and absolutely necessary" (Al Quntar et al, 2015; p.155). From this idea, all the interviewees recognised and applauded the dedication of Ms Irina

Bokova, Director General of UNESCO. Indeed, she acted at the political level with all the relevant heads of agencies and urged them to mobilise for saving our common heritage, "she helped to change the feeling towards cultural heritage" (Catesi, Interview July 2016). The discussions that she led involved all the mentioned organisations and in addition the UN which became a major actor in this combat and contribute to get a stronger reaction from States. Thus, it is fundamental to talk about the role of the Security Council (SC) of the UN, which produces resolutions legally-binding for member States. Two committees of the SC are supported by an organ named the Sanctions Monitoring Team: "the ISIL (Da'esh) & Al-Qaida Sanctions Committee and the 1988 Committee" (SC website). A source close to the UN provided information about the tasks of this team - which was not used to work on the topic of the illicit trafficking. It is concerned by the means of funding terrorism, where the team found out serious evidence implying that cultural property was one of them. They revealed the nexus which propelled this issue of illegal trafficking to a higher scale, 'it became a stake for international security" (Planche, Interview June 2016), terrorist groups are not only destroying our common cultural heritage but they are also selling it to fund their activities. One part of this evidence are receipts which are likely to be stamped by ISIS which are allowing certain people to loot sites nevertheless in a context of propaganda this should be taken with caution (Casana, 2015).

In June 2014, destructions of cultural sites occurred in Syria, for example Palmyra, then in November 2014, the team recommended to the SC to declare a moratorium on cultural objects from Iraq since 1990 and from Syria since 2011. In February 2015, the SC adopted the resolution 2199, which incorporated almost all of the recommendations that the team made. It aims to undermine the funding of ISIL and Al-Nusrah Front which is notably done by trading in arms, oil and antiquities. It condemns the destructions of cultural heritage and adopts measures to tackle this illicit trafficking. The UN through this resolution has started regulating the private sector with art dealers, financial or oil institutions, which is not common for the UN to do such a thing. In addition, this resolution explicitly names UNESCO and INTERPOL as being in charge of the monitoring and supervision the implementation of these measures. In December 2015 another resolution, 2253, was adopted recalling the importance of the 2199 and strengthens the role of strong relations with the private sector. The Monitoring team was in charge of monitoring the implementation of the resolutions.

The UN played a role to fight this trafficking at the legal scale in releasing this resolution which has to be implemented by member States, and will impact the private sector as well - raising

the issue to a higher level. It also highlights and promotes the role of the relevant international organisations in naming both UNESCO and INTERPOL as prominent actors.

Mr Planche and a source close to the UN explained that the resolutions are the work of a very close collaboration between the UN and both UNESCO and INTERPOL, which lobbied for placing the issue of the illicit trafficking at the level of international security and thus giving it a greater visibility with more means. This is probably the biggest achievement of the collaboration in which we are interested, this trafficking is no longer a low level concern since it is a tool for terrorism to fund its dreadful activities.

Consequently, inter-organisational collaboration is seen as the better reply to this current threat. We expect the relevant organisations to keep working together and to improve their action to face these events. Another public reporting of the SC (S/2016/210, 2016), supported and encouraged the action of the partners in this collaboration, including UNESCO, WCO, ICOM and INTERPOL. In addition, the Monitoring Team released in July 2016 its Eighteenth Report in which it highlights the tools developed by WCO, such as ARCHEO and its Customs Enforcement Network, the WCO seizures database (S/2016/629, 2016).

They all took specific measures according to their field and scope but damages were already made and certain experts, like Neil Brodie (2015), saw their actions as reactive and arriving too late to prevent such serious damages. Some of their initiatives, but not all, will be developed as following as illustration their actions.

ICOM was among the first to act (Brodie, 2015) in releasing its Emergency Red List of Syrian Cultural Objects at Risk in 2013 meant to help art and heritage professionals and law enforcement officials to recognise Syrian objects protected by national and international legislations and likely to be illegally purchased (ICOM website). The Red List for Iraqi heritage was published in 2003 and given the situation this list was updated afterwards. In 2015, ICOM acted earlier for Libya and providing a Red List for its threatened heritage   .

In 2014, UNESCO implemented its Emergency Safeguarding of the Syrian Heritage Project (ESSHP), funded by the European Union and pre-empted by the ICOM Red Lists (Brodie, 2015). An international observatory was launched for the monitoring of damages and it was accompanied by the development of raising awareness and training for police and heritage professionals in Syria and neighbouring countries (Brodie, 2015). In 2015, UNESCO sponsored several courses "on combating illicit trafficking, emergency stabilization for built heritage, the protection of moveable heritage, and the recording of intangible heritage" (UNESCO, 2015 in Al Quntar et al, 2015; p.214), they were based in Damascus where the conflict is less sensitive.

E-courses were also provided by ICOMOS and ICCROM in 2013, to the Syrian Directorate General of Antiquities and Museums (ICOMOS, 2013, in Al Quntar et al, 2015). ICCROM works with UNESCO for the implementation of the Action Plan and the regional office meets with local stakeholders (Officer at ICCROM-ATHAR, Interview July 2016).

ICOMOS since the beginning in 2011 has established a working group to monitor the situation and provides consultancy. A Special task force was launched for Syria, then Iraq was added to the scope of its activity and finally it is monitoring the situation in the Middle-East and North Africa. They have a main focus for monuments and sites, and they have partners for illicit trafficking and lootings. This organisation is a partner of the AMAL in Heritage programme, which means hope in Arabic, part of the actions of the Global Heritage Fund, which included ICCROM and Prince Claus Fund (Rouhani, Interview July 2016).

INTERPOL, put on display on its database objects stolen from Syria, Afghanistan and those from Libya. In addition, the officers prepared a special edition of their poster for the Mosul Museum in 2015 and they are working on one for Syria and Libya (Catesi, Interview July 2016).

The efforts come from each partner who try to adapt their strategy to best fit this situation - which is especially hard to maintain due to various factors. As Dr Bijan Rouhani said the number of heritage impacted is beyond the capacity of the cultural heritage sector, including UNESCO and the private sector. They were not ready to respond to this tragedy in this region, there are thousands of sites, museums, archives which have been impacted. Therefore, this case revealed the vulnerability of sites impacted by conflict and terrorism and the need to find ways of improvement, for instance in the field of infrastructures and protection on the ground. Even before the conflict the protection of the sites in Syria was not good enough, there was about one guard for every five sites, knowing that there are about 10 000 sites in Syria (Brodie, 2015). ICOMOS and ICCROM explained that the access to the sites is one of the biggest challenges for the organisations with the reliability of the received information. A mission on the ground has to be under the umbrella of the UN for security reasons. For instance, UNESCO has recently been in Syria, its staff could only go with granted UN permission, which is hard to get. Moreover, certain States are not contracting parties to the relevant conventions, for example UNIDROIT is in discussion with Iraq for its potential ratification to the 1995 Convention (Schneider, Interview June 2016).

The source close to the UN shared the opinion that cultural goods are appearing on the market earlier than expected, this can be explained because these terrorist groups have experienced a decrease of their oil resources. Finding the goods is not easy, they might be in free ports or in

caches like in 2015 when "U.S. Special Operations Forces recovered a cache of hundreds of archaeological and historical objects and fragments during a raid in al-Amr (eastern Syria) to capture ISIL leader Abu Sayyaf"[9] (Bureau of educational and cultural affairs of the USA Department of State website). Since the exports from this region are monitored more, we observe an increase of the exports of cultural goods from Lebanon and Turkey notably. Thus, Dr Rouhani believes that it is important to work with neighbouring countries (Turkey, Jordan, Iran, and Lebanon), which means providing trainings, awareness raising and ad hoc tools.

Besides, recently on 22 August the first prosecution for destroying cultural heritage opened in The Hague at the International Criminal Court. The defendant is an Islamic jihadist linked to Al-Qaeda, who destroyed shrines and damaging a mosque in the ancient city of Timbuktu (Mali). This crime is punishable by a sentence of 30 years in prison but the terrorist pleads guilty and found an agreement with the judge to obtain 11 years (Simons, The New York Times, August 2016). This shows the progress made in the field of the protection of cultural heritage which is treated as other serious crimes at the international legal level. It is undoubtedly an achievement for the work of the organisations working in the cultural heritage sector.

Conclusions

This research was conducted in order to grasp the features of the inter-organisational collaboration in countering the illicit trafficking of cultural property, and if that can be included in the extension of IOR as a way of tackling an international security issue.

The studied organisations are working in various areas that were classified in four categories: the legal area, the control area, those working on the ground and raising awareness and training area. This division allowed to understand that these organisations are exchanging interactive relations which imply, following IOR, sharing information and resources. In effect, they all brought their own expertise, such as legal aspects, specific information and resources - as was seen with the police and customs, and also through the means of the tools they used such as the Red Lists and databases. Therefore, this collaboration benefits from a wide range of experts and instruments aiming to envision all the facets of the illicit trafficking as a whole and simultaneously.

It is clearly relevant to talk about the complementary values these separate organisations offer within this inter-organisational collaboration. These organisations were not established for this particular issue, they have their own scope of action and mandates, which means that they remain independent but fully contribute to this fight. There is no concurrence since they complement and not challenge each other. It was possible to identify as governance mechanisms, a scheme of their relations applicable mainly for the six mains, which develops a cooperation in three levels: political, programmatic and operational. This is very close to the scheme proposed by IOR and supports the idea that this collaboration should be seen as its extension. The relations of the organisations are governed by a principle of reciprocity. The work of one another is used and promoted through the events, publications and websites. Then addressed was the achievements and limitations of this collaboration. The work of these organisations definitely improved the fight against this trafficking and notably allowed to obtain legally-binding documents towards States. Nonetheless, the organisations encounter limits due to their own structure or mechanisms but they are mostly due to the lack of willingness from states to implement the adequate measures.

Finally, this study focused on the case of ISIL, which is of great importance to this topic. The situation in Syria and Iraq is the worst observed for cultural heritage. The strong relations between UNESCO, INTERPOL and the UN allowed the means for this issue to reach a much higher place in the international political agenda.

This inter-organisational collaboration emerged due to the multidimensional aspect of the illicit trafficking in cultural property which involves several fields of competence and this can be linked to the idea proposed by Jodi Sandfort and H. Brinton Milward (2008; p.147-175), arguing that certain issues require additional knowledge and new tools. This trafficking has always been a serious security issue since it is a transnational crime impoverishing States' cultural heritage. Not only this, but it was highlighted that crime was also being used as a means of funding terrorism - which makes this issue a threat for international security. The organisations in which the research was interested are closely collaborating, following the three components of interactive relations, these being: content, governance mechanisms and structure. In working together they are providing a reply to this security issue which follows the IOR theory, therefore it is possible to see an extension of IOR in this inter-organisational collaboration. This extension would imply that IOR can be relevant to both address and reply to certain security issues, especially when they are multidimensional and transnational. Such inter-organisational relations are used as a means to cover all of the concerned fields, and by doing so strengthen the work of organisation, which could not deal with such issues alone.

This study is the first one to investigate the way international public organisations collaborate to tackle the security issue of cultural property illicit trafficking. It is based on empirical and current material collected as much as possible directly from the relevant specialist officers within these organisations. It identified a working scheme between them and provided an as accurate as possible assessment of their work. The research explained the important action implemented by the organisations in this fight but also revealed some of the limitations of the current situation. It explored the role and the working pathways of these organisations working for the common interest and in this case for safeguarding our global cultural heritage. Moreover, this study participates in the development of the growing corpus of research of IOR by adding another current case study, that of the fight against the trafficking of cultural property.

In our globalised societies, where security issues are easily transnational, the role of international organisations is essential. Therefore, this research is unprecedented in being focused on the relationships' features of such a group of organisations in the framework of the fight against the trafficking in cultural property. This thesis can be considered as a means to highlight the great work achieved by these organisations and identify its weaknesses. This may help to promote the role of these organisations and support them in their combat against this trafficking and against terrorism.

This dissertation can be of interest for different types of audience: professional, academic or public. The security sector can find it helpful to understand how IOR is applied to its field to address an issue and what are the assets and the weaknesses of such a strategy. Any person curious to learn more about the relationships taking place between international public organisations including UN organs may appreciate reading this. Obviously, the cultural heritage sector including the studied organisations, professionals and academia, may find this research useful and instructive and maybe even gratifying. Then, the general public is likely to become eager to grasp how these organisations are dealing with this issue since it is increasingly covered by the media worldwide.

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Empirical material: Interviews

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-Dr Bijan Rouhani, Vice President ICOMOS International Scientific Committee on Risk Preparedness (ICORP) and ICOMOS Representative to the Blue Shield, ICOMOS (July 2016), semi structured elite interview, remote interview.

-Mr Edouard Planche, programme specialist, UNESCO (June 2016), semi structured elite interview, UNESCO headquarters, Paris (France).

-Ms Marina Schneider, senior officer, UNIDROIT (June 2016), semi structured elite interview, UNIDROIT headquarters, Rome (Italy).

Appendix 1

List of the acronyms used in this dissertation

-**DG**: Directorate General (of the European Commission)

-**EU**: European Union

-**ICA**: International Council on Archives

-**ICCROM**: International Centre for the study of the Preservation and Restoration of Cultural Property

-**ICOM**: The International Council of Museums

-**ICOMOS**: International Council on Monuments and Sites

-**IFLA**: International Federation of Library Associations and Institutions

-**INTERPOL**: The International Criminal Police Organization

-**IOR**: Inter-organisational relations theory

-**ISIL**: Islamic State in Iraq and the Levant (Da'esh in Arabic)

-**NCB**: National Central Bureau (INTERPOL)

-**NGO**: non-governmental organisation

-**OCBC**: Office central de lutte contre le trafic de biens culturels

-**SC**: Security Council (of the UN)

-**The UN**: The United Nations

-**The USA**: The United States of America

-**U.A.E**: United Arab Emirates

-**UNESCO**: The United Nations Educational, Scientific and Cultural Organization

-**UNIDROIT**: The International Institute for the Unification of Private Law

-**UNODC**: The United Nations Office on Drugs and Crime

-**WCO**: The World Customs Organization