

National and International Approaches to Combat Cultural Heritage Trafficking in Post-2011 Egypt.

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Abstract

Cultural heritage trafficking is globally recognized as an international threat and an obstacle against revealing the secrets of humanity's history. Today, the illicit trafficking of cultural property is reaching its highest levels, particularly in the MENA region, compelling the international community to increase its efforts to protect the region's cultural heritage from looting, pillaging, demolition, illegal transfer and illicit trafficking.

With reference to Egypt, the Egyptian authorities have lately multiplied their efforts, particularly after the 2011 and 2013 revolutions, on the national and international levels aiming to foil the illicit trafficking of cultural property, thus demonstrating its long-term commitment to the protection of the nation's heritage. This article mainly aims to highlight the exerted governmental efforts to protect and safeguard the Egyptian cultural heritage from illicit trafficking. It also demonstrates the recently adopted governmental approaches to combat all aspects of trafficking in cultural property. Additionally, it sheds the light on the deep need for further national and international cooperation to tackle cultural heritage trafficking, looting and smuggling issues.

Keywords

illicit trafficking, cultural property, looting, illegal excavations, smuggling, national efforts, international cooperation.

Introduction

Looting of art and antiquities is globally known since prehistory till nowadays during wars or in conflict zones, whether to indicate victory over the defeated, to obtain spoils of war or to generate money through their illegal trade.¹

The illicit trafficking of cultural property is ranked as the third-highest grossing criminal trade worldwide after arms and drugs.² It is increasingly linked with money laundering, funding terrorism and organized crime.³ Moreover, it has been identified by the INTERPOL (International Criminal Police Organization) as a serious transnational crime affecting all regions around the world.⁴ Indeed, cultural heritage trafficking has grown widely around the basic concepts of supply and demand. The increasing demand for cultural artifacts has resulted in the development of a wealthy art and antiquities market with an international dimension.⁵ In effect, wealthy countries with high demand of cultural artifacts are of short supply of cultural heritage, i.e., UK, USA, Switzerland, Japan, Sweden and France, while the supply side of art and antiquities market represents the poorer countries, i.e., Egypt, Iraq, Cambodia and Mexico.⁶ As a transnational crime, illicit antiquities trade goes from "source" countries to "market" countries, where artifacts are displayed at museums or owned as private collections, through passing by "transit" countries.⁷

1 Noah Charney, "A History of Transnational Trafficking in Stolen and Looted Art and Antiquities," in *Histories of Transnational Crim*, ed. Gerben Bruinsma (London: Springer, 2015), 103-146.

2 Marc-André Renold, "The Legal and Illegal Trade in Cultural Property to and throughout Europe: Facts, Finds and Legal Analysis," (paper presented at the Capacity-Building Conference: Engaging the European Art Market in the Fight Against Illicit Trafficking of Cultural Property, Paris, 20-21 March, 2018), http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/images/630X300/Study_Prof_Renold_EN_02.pdf [Accessed on 23 September 2019].

3 UNESCO, "Fighting the Illicit Trafficking of Cultural Property," http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/movable/pdf/Toolkit_01.pdf [Accessed on 29 June 2019].

4 INTERPOL, "Protecting Cultural Heritage Through Interagency Cooperation," <https://www.interpol.int/News-and-Events/News/2019/Protecting-cultural-heritage-through-interagency-cooperation> [Accessed on 23 September 2019].

5 Alessandro Chechi, *The Settlement of International Cultural Heritage Disputes* (London: Oxford University Press, 2014), 275.

6 Craig Forrest, *International Law and the Protection of Cultural Heritage* (London: Routledge, 2012), 137.

7 Brigitta Hauser-Schäublin and Lyndol Prott, *Cultural Property and Contested Ownership: The Trafficking of Artefacts and the Quest for Restitution* (London: Routledge, 2017), 10.

Since the 1970s, there has been a tendency to combat trafficking in cultural property around the world. A substantial number of international conventions and soft law agreements were adopted aiming to control and eliminate the illegal trafficking of art, antiquities and cultural property. One of the main instruments is the 1995 UNIDROIT (International Institute for the Unification of Private Law) convention on stolen or illegally exported cultural objects.⁸

UNIDROIT mainly focuses on the repatriation of illegally traded cultural property, the establishment of a clear right of antiquities ownership and the endorsement of private laws concerning private art collections. UNIDROIT cooperates closely with a number of organizations to strengthen the regulatory environment such as UNESCO (United Nations Educational, Scientific and Cultural Organization), INTERPOL, UNODC (United Nation Office for Drugs and Crimes), WCO (World Customs Organization), ICCROM (International Center for the Study of Preservation and Restoration of Cultural Property), ICOM (International Council on Monuments), EU (European Union), the Council of Europe and the United Nations Security Council.⁹

The international cooperation in the field of cultural heritage protection was reinforced with the launch of the Academic Project (UCAP), on 27 October 2017, which seeks to increase the awareness and knowledge of scholars, students, practicing lawyers, judges, other government officials, as well as art market players, such as art collectors, dealers, auction houses and museums by providing information about the 1995 Convention.¹⁰

As part of a joint initiative with the European Union, UNESCO introduced two new tools, in March 2019, to help the judiciary and law enforcement agencies fight the illicit trafficking of cultural property. The first tool is known as the "Toolkit for European Judiciary and Law Enforcement" which aims to provide a range of answers to professionals combating this type of organized criminal activity. In addition to the Toolkit, UNESCO developed an e-learning platform offering step-by-step training to provide an understanding of how this type of organized crime works and explains how to use legal and practical tools to fight it more efficiently and effectively. Moreover, it enables judiciary and law enforcement professionals to learn about different key concepts and special investigative techniques and to exchange information and ideas with their colleagues from all over Europe.¹¹

The Arab Spring uprisings of 2011 served as a catalyst for the systematic looting and illicit trade of antiquities in the MENA region, including Egypt, either by the local population or organized criminal groups.¹² In particular, the aftermath of the Egyptian 2011 and 2013 revolutions urged the Egyptian governmental authorities with the assistance of both private and public sectors to develop and articulate new approaches and visions concerning the protection and safeguarding of cultural heritage from illicit trafficking, negligence, looting, smuggling, vandalism and illegal encroachments on both national and international levels.

National and Local Approaches

- In March 2011, the SCA (Supreme Council of Antiquities) issued a long list featuring the missing objects, resulted from the attack of the Egyptian Museum at Tahrir on 28 January 2011, to raise public awareness and encourage vigilance.¹³ Citizens were able to recover more than 70% of the looted artifacts. Undoubtedly, the spontaneous attitude of the young Egyptians, who formed a human shield to protect the Egyptian Museum from further theft, reflected the strong commitment between the new generation of the Egyptians and their estimated unique heritage. It should be mentioned that the revolution has had its positive side-effect of inspiring local interest in Egyptian heritage and consequently the number of Egyptian visitors to the provincial museum has risen exponentially.¹⁴

- A substantial number of national campaigns were launched seeking the involvement of the locals to clean up the heritage

8 Annelies Pauwels, "Isis and Illicit Trafficking in Cultural Property: Funding Terrorism through Art," *Freedom from Fear Magazine*, August 1, 2016, https://www.un-ilibrary.org/human-rights-and-refugees/isis-and-illicit-trafficking-in-cultural-property-funding-terrorism-through-art_1d17038c-cn [Accessed on 23 September 2019].

9 UNIDROIT, "UNIDROIT Work and Instruments in the Area of Cultural Property," <https://www.unidroit.org/cultural-property> [Accessed on 28 February 2019].

10 UNIDROIT, "The 1995 UNIDROIT Convention Academic Project," <https://1995unidroitcap.org/about-us/> [Accessed on 28 February 2019].

11 UNESCO, "New UNESCO Tools to Fight the Illicit Trafficking of Cultural Property," March 15, 2019, <http://www.wcoomd.org/en/media/newsroom/2019/march/new-unesco-tools-to-fight-the-illicit-trafficking-of-cultural-property.aspx> [Accessed on 7 April 2019].

12 Renold, "The Legal and Illegal Trade."

13 Suzie Thomas, "Egyptian Museum in Cairo-Theft and Recoveries in 2011," *Trafficking Culture*, 21 August, 2012, <https://traffickingculture.org/encyclopedia/case-studies/egyptian-museum-cairo-thefts-and-recoveries-in-2011/> [Accessed on 7 June 2019].

14 Mohamed Rashed, "The Museums of Egypt after the 2011 Revolution," *Museum International* 67, no. 1-4 (June 2016): 126.

sites all over Egypt after the revolutions of both 2011 and 2013. For instance, the Dahshour community, in early April 2013, organized an event that aimed to raise the local awareness about environmental issues in the area. Several schools from Dahshour participated in the event, organizing a garbage collection rally through the villages, the lake, and the surrounding necropolis, planting trees and performing animation activities with their parents.¹⁵

- Other campaigns, provided with professionals from the heritage and museum sectors, were introduced to monitor heritage sites and museums especially during the times of conflicts such as the campaign led by Monica Hanna in 2013 known as “Egypt’s Heritage Task Force”.¹⁶

- Several campaigns were triggered after the Egyptian revolutions of 2011 and 2013 to combat the hard attacks and the deliberate destruction of the historical buildings all over the country. The renowned campaign of “Save Cairo”, launched by Cairo Library in 2018, mainly focused on the demolition and negligence activities of heritage buildings in historic Cairo and to obtain governmental decisions to halt the demolition procedures especially in the area of Al-Darb Al-Ahmar, which contains about 65 ancient Islamic and mediaeval structures and severely suffered from the savagery that was ruining its old alleyways.¹⁷

- Following the constant attempts to save and restore Egypt’s lost architectural heritage, Cairo Library kicked off “Welad El-Balad Heritage Campaign” which aimed to raise people’s awareness of maintaining the nation’s lost identity represented in its architecture that is facing continuous negligence and lack of restoration, before being completely destroyed and replaced with similarly designed buildings. The campaign included hosting the Middle East’s first regional conference on the role of media in the protection of cultural heritage and its form which was attended by several prominent Middle Eastern figures and other world heritage conservation activists including the director of programs at the ICOM.¹⁸

- The Egyptian Parliament, in April 2018, approved the government-drafted law that amends some provisions of Law No. 117 of 1983, as amended by law no. 3 of 2010, «Protection of Antiquities Law» to combat the illicit trade in antiquities.¹⁹ This updated legislative gives the SCA the responsibility to remove violations found at archaeological sites and set regulations for the activities on these sites with the assistance of the police, only as a safeguarding agency, while executing the council’s decisions. According to article 42 and 45 of the drafted law, whoever steals, possesses, hides and collects antiquity for the purpose of smuggling or is involved in such action shall be punished with 25 years of imprisonment and a fine not less than LE 50,000 and not more than LE 250,000. The penalty of smuggling of illicit antiquities can extend to life imprisonment and a fine of LE100,000 to 500,000. The punishment of stealing or aiding in the robbery of a genuine artifact or piece of a monument or deliberately disfiguring artifacts or monuments is 15 years imprisonment and a fine of LE 50,000 to 100,000. The writing of graffiti or affixing of billposters and billboards to walls of monuments leads to detention from 6 to 12 months or a fine of LE 150,000. Additionally, article 30 of the drafted law indicates that the SCA is the only authority responsible for carrying out restoration and preservation work for all Egyptian monuments, archaeological sites and historical edifices. Correspondingly, the minister of culture will have the authority to assign any scientific mission to execute such work but under the complete supervision of the SCA.²⁰

- Egyptian buildings of architectural value and historical importance are protected by law No. 117/1983, amended by law no. 3 of 2010, law No.178/1961 and law No. 144/2006.²¹ The number of heritage buildings in Egypt is estimated at 6500 with 1163 heritage buildings in Cairo Governorate. The ambiguous legal jargon of the aforementioned laws led indirectly to the demolition of the heritage and historic buildings. Accordingly, around 75% of these buildings were lost and demolished between 2011 and 2014.²² The Egyptian parliament discussed the approval of the amendments of some of the provisions of

15 UNDP, “The Value of Cultural Heritage,” http://www.eg.undp.org/content/egypt/en/home/ourwork/sustainable-development/successstories/Sample_Success_Story_21.html [Accessed on 3 June 2019].

16 Geoffrey Tassie, Aloisa De Trafford and Joris Wetering, “Egypt’s Heritage in Times of Conflict and Crises,” in *The Management of Egypt’s Cultural Heritage*, Vol. 2, eds. Fekri Hassan et al. (London: ECHO and Golden House Publications, 2015), 21.

17 Karen Dabrowska, “Egyptian Architect Battles to Preserve Cairo’s Heritage,” *The Arab Weekly*, January 14, 2018, <https://thearabweekly.com/egyptian-architect-battles-preserve-cairos-heritage> [Accessed on 23 May 2015].

18 Nada Deyaa, “Reviving Nation’s Demolishing Heritage: A Campaign Seeking to Save Fading Architectural Identity,” *Daily News Egypt*, March 13, 2018, <https://dailynewsegypt.com/2018/03/13/reviving-nations-demolishing-heritage-campaign-seeking-save-fading-architecture-identity/> [Accessed on 3 June 2019].

19 SCA, “Law No. 117 of 1983 As Amended by Law No. 3 of 2010: Promulgating the Antiquities’ Protection Law,” <http://www.antiquities.gov.eg/DefaultEn/Documents/LAW/LAW%20ENGLISH6.pdf> [Accessed on 8 May 2019].

20 Marina Gamil, “New Law Intensifies Penalties for Antiquity-Related Crimes,” *Egypt Today*, April 24, 2018, <https://www.egypttoday.com/Article/2/48513/New-law-intensifies-penalties-for-antiquity-related-crimes> [Accessed on 24 June 2019].

21 SCA, “Law No. 117 of 1983 As Amended by Law No. 3 of 2010.”

22 Khaled Osman, “Heritage Conservation Management in Egypt: A Review to the Current and the Proposed Situation to Amend it,” *Ain Shams Engineering Journal* 9, no.4 (December 2018): 2907.

law No. 144/2006 to frame a better classification for heritage buildings, regulate the demolition of non-dilapidated buildings and control the establishments and the preservation standards of architectural heritage.²³

- Workshops, awareness campaigns and symposiums were organized by different NGOs seeking to raise the local community’s awareness of the importance of protecting and preserving cultural heritage. The most recent of which is the workshop held by the EHRF (Egyptian Heritage Rescue Foundation) in cooperation with the CULTNAT (Center for Documentation of Cultural and Natural Heritage) and the Children Library of Bibliotheca Alexandrina in June 2019. The workshop essentially focused on introducing collection documentation as a significant tool to preserve and protect cultural heritage during times of crises.²⁴

International Approaches

- Recent events, particularly in the MENA region, provoked an international considerable dialogue concerning the protection of cultural heritage during the time of civil unrest, armed conflicts and natural and other human-made disasters.²⁵ Hence, the international communities such as the UNESCO and other actors developed international conventions and national laws and legislations to fight the post-colonial and clandestine trafficking of artifacts and antiquities. UNESCO continues to rely on the input and expertise of its principal partners in this field, namely the WCO (World Customs Organization), UNIDROIT, INTERPOL, UNODC, and ICOM.²⁶

- UNESCO, with the assistance of its partner ICOM, sent a group of experts to Cairo from 21 to 25 March 2011. The special mission’s objectives were to assess the needs of the museum sector and to establish contact with the Egyptian authorities in order to continue the work on the protection of Egyptian cultural heritage.²⁷

- From 3 to 13 May 2011, two experts were sent by UNESCO, including a representative from the INTERPOL, to assess the security measures taken in Egypt to protect the Egyptian museums and the cultural heritage sites up and down the country. The experts provided advice on how to enhance the Egyptian security measures to better protect the museums from being looted and sites from being illegally excavated in order to minimize the risks of illicit trafficking of Egyptian cultural property. This mission was an opportunity to collect information on the missing or stolen cultural objects during the revolution and onwards and they were eventually included in the INTERPOL Works of Art Database.²⁸

- UNESCO, with co-funding from the Federal Office for Culture of Switzerland, implemented, in November 2013, a series of capacity-building training courses and awareness-raising activities to focus on preventive actions on the fight against illicit trafficking of cultural property in Egypt. Primarily, these projects aim to provide Egyptian heritage professionals with skills and knowledge to respond rapidly and effectively when addressing cases of illicit trafficking. An outcome of these comprehensive projects is the participation of the newly UNESCO trained Egyptian heritage rescue team who intervened rapidly at the Museum of Islamic Art, on 30 January 2014, after its bombing.²⁹

- The fulfillment of the previously mentioned training courses and awareness-raising campaigns was complemented by the educational program started by UNESCO in partnership with the Ministry of Education. This program targets the local communities and youth who will be invited to get involved in safeguarding Egypt’s heritage and to be aware of the damages resulted from the looting of cultural heritage and thus its versatile impacts on the Egyptian identity.³⁰

- The establishment of the EHRF, in 2013, with the objective of promoting and safeguarding Egyptian and regional cultural heritage. The foundation aims to offer courses relevant to Disaster Risk Preparedness and First Aid to Cultural Heritage (FACH) in cooperation with ICCROM and Athar regional center at Sharjah, which helped in translating the courses’ materials into Arabic.³¹

23 Lolwa Reda., “10 Draft Laws Expected to Pass During Parliament’s fourth Session,” *Egypt Today*, September 26, 2018, <http://www.egypttoday.com/Article/2/58168/10-draft-laws-expected-to-pass-during-Parliament’s-4th-session> [Accessed on 14 June 2019].

24 <http://www.chrf-egypt.com/> [Accessed on 27 June 2019].

25 WHC, “The 43rd Session of the World Heritage Committee, Baku, 1 July 2019,” <https://whc.unesco.org/en/sessions/43com/> [Accessed on 20 September 2019].

26 Hauser-Schäublin and Prott, *Cultural Property and Contested Ownership*, 4.

27 UNESCO, “Illicit Trafficking of Cultural Property in Egypt,” <http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/emergency-actions/egypt/> [Accessed on 29 June 2019].

28 UNESCO, “Illicit Trafficking of Cultural Property in Egypt.”

29 UNESCO, “Capacity-Building Training Courses and Awareness-Raising Activities on the Fight Against Illicit Trafficking of Cultural Property in Egypt,” <http://www.unesco.org/new/index.php?id=61838> [Accessed on 3 May 2019].

30 UNESCO, “Capacity-Building Training Courses.”

31 ICCROM Annual Report, “ICCROM Newsletter 39,” https://www.iccrom.org/sites/default/files/2018-02/iccrom_news139_en.pdf [Accessed on 27 June 2019].

- The Swiss-funded project “Museum disaster preparedness and risk mitigation in the event of man-made disaster or conflict” was developed from 15-30 December 2013 and attended by 21 curators from different museums all over Egypt. The course aimed to develop risk preparedness and security management strategies for Egypt’s museums as a tool for the efficient protection of cultural heritage, and prevention of looting or any other kind of risk during political instability, civil unrest and conflict.³²
- A workshop was held from 31 March to 2 April 2014 in Cairo and organized by the UNESCO office in Cairo and UNESCO headquarters in Paris. The workshop particularly emphasized on the need for further training of national professionals involved in the fight against illicit trafficking of cultural property and how to improve cooperation with intergovernmental organizations as well. Moreover, it focused on maintaining and strengthening contact and cooperation between different stakeholders on national and international levels. It is worthy to mention that this workshop was the triggering point of a wider series of comprehensive projects led by UNESCO within the framework of global efforts to protect Egypt’s unique cultural heritage, aimed at building the capacities of Egyptian heritage professionals through a range of targeted legal and operational training workshops, and awareness-raising activities.³³
- Marking the 10th anniversary of archaeologists’ day, the Ministry of Antiquities opened the temporary exhibit entitled, “Repatriated Objects: 2014-2015” at the Egyptian Museum in Tahrir Square. The exhibition celebrated the repatriation of about 500 Egyptian artifacts from eight foreign countries between 2014 and 2015.³⁴
- In cooperation with the Ministry of Antiquities and the Ministry of Culture with the support of the government of Sharjah, UAE and the U.S. Secretary State, A two-week specialist workshop on “Building National Capacities for Managing Risks to Cultural Heritage in Case of Emergency” was launched in Cairo, Egypt, on 29 January 2015. The workshop was organized by ICCROM with Athar regional center in Sharjah, UNESCO office in Cairo and the ALECSO (Arab League Educational Cultural and Scientific Organization). It was mainly based on understanding the national and international legislation and its implementation to protect cultural heritage during crises and times of conflict.³⁵
- A two-day conference, held in Cairo in May 2015, focused on the protection of cultural heritage and ratifying an agreement concerning the establishment of an international advisory committee on the means of protecting monuments from looting. Six recommendations were issued under the title “Cairo Declaration” to combat cultural racketeering and to decrease the purchasing of stolen antiquities. This conference was attended by UNESCO and ten Arab countries including Egypt, Iraq, Jordan, Libya, Sudan, Lebanon, Saudi Arabia, the United Arab Emirates, Kuwait and Oman. Thus, UNESCO announced the triggering of its campaign: “#Unite4Heritage” from the Museum of Islamic Art, coinciding with the start of the cultural heritage conference. The campaign aims to build an alternative to violent extremist narratives, based upon the ideals of cultural diversity, tolerance and understanding.³⁶
- In the light of UNESCO partners’ international support, an Egyptian-European conference was held on cultural heritage protection and prevention of cultural heritage stolen goods trafficking. The conference took place at the French Institute in Cairo from 8 to 9 March 2016. Representatives from heritage and museums’ sectors attended the conference to discuss and share good practices to curb smuggling and illicit trafficking of cultural property.³⁷
- The Egyptian Ministry of Antiquities with the assistance of UNESCO held an exhibition on seized antiquities on Egyptian ports at the Egyptian Museum in Tahrir square from 24 October to 15 December 2016. Around 300 rare objects, chosen from thousands of artifacts that were seized in previous years, were displayed within the proceedings of the exhibition. Principally, the exhibition highlighted the efforts carried out by the Egyptian Ministry of Antiquities and all its units that are present at the air, land and seaports of Egypt, to protect Egyptian and world cultural heritage and prevent its smuggling out of Egypt. These efforts included examination, inspection and confiscation of objects, as well as following up on cases of seized objects, starting with the moment the objects were seized at the Egyptian ports, through their handling over to customs storehouses and

32 UNESCO, “Museum Disaster Preparedness and Risk Mitigation in the Event of Disaster or Conflict Course (15-30 December 2013),” <http://www.unesco.org/new/en/culture/themes/museums/museum-projects/museum-disaster-preparedness-and-risk-mitigation-in-the-event-of-disaster-or-conflict-course-15-30-december-2013> [Accessed on 29 June 2019].

33 UNESCO, “Arab States: Training Activities,” <http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/capacity-building/arab-states/egypt-2014/> [Accessed on 24 April 2019].

34 ARCE, “Behind the Scenes: The Repatriation of Stolen Objects,” <http://archive.arce.org/news/u170> [Accessed on 8 May 2019].

35 ICCROM, “Workshop to Manage Risks to Cultural Heritage,” <https://www.iccrom.org/news/workshop-managing-risks-cultural-heritage> [Accessed on 3 June 2019].

36 UNESCO, “#Unite4Heritage at the 38th UNESCO General Conference,” <http://www.unesco.org/new/en/general-conference-38th/unite4heritage/> [Accessed on 25 May 2019].

37 UNESCO, “Illicit Trafficking of Cultural Property,” <http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/meetings/conferences-and-exhibitions/> [Accessed on 30 May 2019].

- specialized prosecutions, and up until their deposit in the Ministry of Antiquities storages.³⁸
- The U.S. government, in December 2016, signed for the first time a bilateral agreement with the Egyptian government to thwart illegal trade in antiquities. This action was complemented with the assistance of the HSI (Homeland Security Investigations) office in Cairo, which covers Egypt, Libya, Chad, Sudan, South Sudan and Eritrea. The HSI is authorized to investigate a wide range of crimes that threaten U.S. national security including drug smuggling, financial crimes, child exploitation and primarily antiquities crimes and trafficking of cultural property.³⁹
- The Egyptian authorities succeeded in repatriating some artifacts, originated in Saqqara, on the e-catalog of the French auction house Millon in 2016. After expert examination and sending several memoranda to the auction house concerning the restitution of the artifacts, they were proved to be stolen and were eventually returned to Egypt.⁴⁰
- The Egyptian minister of foreign affairs, Sameh Shoukry, was invited in September 2017 to participate in the ministerial conference of the Ancient Civilizations Forum on the sidelines of the 72nd session of the United Nations General Assembly (UNGA 72) in New York. The minister referred to the importance of countering illicit trafficking in cultural property, particularly in the regions suffering from political instability and armed conflicts including Egypt, Syria, Iraq and Libya.⁴¹
- The WCO in cooperation with the INTERPOL and UNESCO regional office in Beirut officers from the MENA region, including Egypt, attended the training session which aimed to inform the participants about the identification and handling of cultural objects and dedicated tools and instruments, developed by the WCO, INTERPOL, ICOM and other international partners. Moreover, it emphasized the necessity to build the proper capacities needed for safeguarding the cultural heritage from plundering.⁴²
- The Egyptian authorities repatriated eight Egyptian artifacts, dating back to the first millennium B.C, after they have been illegally exported to France in 2010. The investigations revealed that these objects were smuggled through an organized network that was used to transfer Egyptian objects to the United Kingdom, transiting in France. In October 2017, the Egyptian artifacts were returned after negotiating with the French government concerning their restitution.⁴³
- The DAAD regional office in Cairo held a three-day COSIMENA Heritage Cluster conference from 7 to 9 May 2018. Leading experts from the fields of heritage, history, museology, archaeology and geology around the MENA region attended the conference to discuss the best means to protect cultural heritage in times of armed conflicts and how technology can help to identify, analyze, document and keep elements of cultural heritage safe for future generations.⁴⁴
- In July 2018, the Egyptian authorities repatriated nearly 1,000 antiquities that were smuggled to Switzerland, UAE, Italy, USA, Belgium, Mexico and Austria. Most recently, the Italian Antiquities and Tourism Police informed the Egyptian embassy in Rome on 14 March that they had seized in Naples 23,700 artifacts, including 118 ancient Egyptian items that ultimately went on display at the Egyptian Museum.⁴⁵
- Egypt was elected, as the first Arab country since 2013, to chair the UNESCO subsidiary committee of the 1970 convention for countering the illicit trafficking of cultural property for the period from May 2018 till May 2019. The unanimous election reflects the appreciation of the convention’s member states of the latest efforts exerted by Egypt to prevent the illicit trafficking of cultural property and to repatriate its stolen antiquities.⁴⁶
- Trainers from the U.S. Department of HIS, the FBI (Federal Bureau of Investigations), and the Cultural Antiquities Task Force at the U.S. Department of State joined Egyptian officials from the Ministry of Antiquities, Egyptian Customs, Tourism

38 UNESCO, “The Exhibition on Seized Antiquities at Egyptian Ports, in Tahrir, Egypt,” <http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/capacity-building/arab-states/egypt-2016/> [Accessed on 24 April 2019].

39 Kristin Romey, “U.S., Egypt Sign Agreement to Thwart Trade in Illegal Antiquities,” National Geographic, December 2, 2016, <https://news.nationalgeographic.com/2016/12/antiquities-egypt-agreement-repatriation-mummy-artifacts/> [Accessed on 8 May 2019].

40 UNESCO, “Fighting the Illicit Trafficking of Cultural Property,” http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/movable/pdf/Toolkit_01.pdf [Accessed on 29 June 2019].

41 Egypt Today Staff, “FM Urges Combating Illicit Trafficking in Cultural Property,” Egypt Today, September 22, 2017, <https://www.egypttoday.com/Article/2/24031/FM-urges-combating-illicit-trafficking-in-cultural-property> [Accessed on 25 May 2019].

42 WCO, “The WCO Rolls Out the First Practical Training for Customs Officers on the Protection of Cultural Heritage,” <http://www.wcoomd.org/en/media/newsroom/2017/september/wco-rolls-out-the-first-practical-training-for-customs-officers.aspx> [Accessed on 26 June 2019].

43 UNESCO, “Illicit Trafficking of Cultural Property.”

44 DAAD, “Cultural Heritage Cluster Conference,” <https://www.daad.de/en/about-us/cosimena/cultural-heritage-cluster/cultural-heritage-cluster-conference/> [Accessed on 4 July 2019].

45 Mostafa Salem, “Egypt Put Relics Recovered from Smugglers in Italy on Display,” Reuters, July 4, 2018, <https://www.reuters.com/article/us-egypt-archaeology-italy/egypt-puts-relics-recovered-from-smugglers-in-italy-on-display-idUSKBN1JU2OR> [Accessed on 25 May 2019].

46 State Information Service, “Egypt Elected as Head of UNESCO Committee on Illicit Import, Export and Transfer of Cultural Property,” Cultural News, June 2, 2018, <http://www.sis.gov.eg/Story/130815?lang=en-us> [Accessed on 3 May 2019].

Police, and other agencies organized the first WCO Middle East and North Africa (MENA) Train-the-Trainer Session for Customs officers on the prevention of illicit trafficking of cultural objects, which was held from 18 to 21 September 2017. Customs agencies, in September 2018, to attend a week-long workshop organized by the U. S. embassy in Cairo. The workshop discussed how the two countries can cooperate more effectively to protect cultural property, investigate cases of illegally exported antiquities and prevent the illicit trade of Egyptian and American antiquities.⁴⁷

- The Egyptian Ministry of Antiquities announced the recovery of a tablet carved with the cartouche of king Amenhotep I. It is not exactly identified when the tablet was illegally smuggled, however, it was previously displayed at the Karnak open-air museum and later found in an unnamed London auction house. The Egyptian Ministry of Antiquities, the Egyptian Ministry of Foreign Affairs, the Egyptian Embassy in London and the British authorities cooperated closely and succeeded in repatriating the tablet in January 2019.⁴⁸

- The illegally trafficked gilded coffin of Ndjemankh, a high ranking ancient Egyptian priest, was returned to the Egyptian authorities on 25 September 2019 at a repatriation ceremony in New York, after two years of being obtained by the Metropolitan museum of art. Originally, the coffin was stolen from its burial tomb at El-Minya during the 2011 revolution then it passed through UAE, shipped to Germany and transported later to France. The coffin was sold to the Metropolitan museum in 2017, for a fee of \$4 million, using fake import papers and forged 1971 Egyptian export license. It is believed that the coffin will be permanently displayed at the Grand Egyptian Museum in 2020.⁴⁹ The Egyptian Minister of Foreign Affairs, Sameh Shoukry, indicated that the coffin was repatriated in the light of the 2016 joint agreement between Egypt and the U.S. regarding the protection of the Egyptian antiquities.⁵⁰

Key Actions and Recommendations

- A national network of stakeholders should be established to coordinate efforts for the fight against the illicit trafficking of cultural properties in Egypt. Government authorities, representatives from international organizations as well as art markets and auction houses should accede to police and customs officers, lawyers, museum directors and UNESCO experts to review challenges, identify actions and share good practices to combat cultural heritage smuggling. Moreover, experts, researchers, universities' professors and students should get involved in the research and documentation process of the cultural assets which is essential for the protection of cultural property.

- National inventories of cultural properties, notably for the movable objects, should be regularly updated in order to combat their illicit trafficking. Assorted inventory tools are available to help individuals and institutions to register and manage their collections. For instance, the ICOM created Red Lists for cultural objects at risks, which are practical tools to curb the illegal traffic of cultural objects as they help individuals, organizations and authorities, such as police or customs officials, identify objects at risk and prevent them from being illegally sold or exported. Furthermore, the use of an international digital database of stolen cultural goods is another crucial requirement to identify the stolen objects, track them, prevent their transaction and finally their restitution.

- National legislations should include a clearer definition for cultural property and its state of ownership since the absence of these provisions may result in losing the right to repatriate the trafficked cultural goods. Consequently, the security level around museums and heritage sites should be increased and the export control regulations should be enhanced in the source countries, i.e., Egypt. Transit countries should formulate rigorous standards to increase export control. With regard to the destination countries, cooperation on antiquities' repatriation, market monitoring, firm trade regulations and effective import controls are highly required to thwart and eliminate illicit trafficking of cultural heritage.⁵¹

- National conferences, seminars and capacity building workshops should be convened on the protection of cultural heritage to strengthen capacities for the fight against illicit trafficking of cultural heritage property. These practices should emphasize

47 U.S. Mission Egypt, "U.S. and Egypt Collaborate on Cultural Property Protection," U.S. Embassy in Egypt, September 26, 2018, <https://eg.usembassy.gov/u-s-and-egypt-collaborate-on-cultural-property-protection/> [Accessed on 20 May 2019].

48 Chloe Taylor, "Ancient Egyptian Artefact Returned after Being Smuggled to London Auction House," CNBC, January 9, 2019, <https://www.cnbc.com/2019/01/09/ancient-egyptian-artefact-returned-after-being-smuggled-to-london.html> [Accessed on 27 June 2019].

49 Peter Szekely, "After New York Visit, Looted Coffin of Ancient Egyptian Priest Goes Home," <https://www.reuters.com/article/us-usa-egypt-coffin/after-new-york-visit-looted-coffin-of-ancient-egyptian-priest-goes-home-idUSKBN1WA35K> [Accessed on 26 September 2019].

50 Mira Maged, "US Returned Looted 2,100-Year-Old Coffin of Ndjemankh to Egypt," <https://www.egyptindependent.com/us-returns-back-to-egypt-looted-2100-year-old-ndjemankh-coffin/> [Accessed on 26 September 2019].

51 UNESCO, "Fighting the Illicit Trafficking of Cultural Property."

fundamentally on the implementation of the "UNESCO 1970 Convention for the fight against illicit trafficking of cultural property" and offer the participants the opportunity to acquire knowledge about the benefits of ratification of the 1995 "UNIDROIT Convention on Stolen or Illegally Exported Cultural objects", with the objective of ensuring that all those involved in countering illicit trafficking in cultural objects adopt a consistent and harmonized approach, and coordinate their actions.

- Further integrated partnerships between governmental and non-governmental organizations (NGOs), such as EHRF, Tadamon, Rawi, Megawra, Athar Lana, etc., should be enhanced in order to develop new strategies on research, development and innovation to meet the needs and challenges of illicit cultural heritage trafficking. Such organizations play vital roles in safeguarding cultural heritage property through the involvement of the local communities in the protection of their cultural heritage and reinforcing their sense of belonging. Local residents can be also engaged in the documentation process of the archaeological and historical sites, whom they are living next to, so they can assist in locating the sites and be aware of the importance of its protection as well. Forums, symposiums, events, study-days and workshops should be organized on a larger scale to forge links between the civil society and experts, academia, researchers, policy makers and students to be more conscious of the value and significance of their cultural heritage. Furthermore, they can help in diffusing knowledge and raising public awareness over the grave threats of illicit cultural heritage trafficking and its impact on the Egyptian cultural identity. It is noteworthy here to refer to the role of community engagement as an essential element for an effective heritage and archeological site management. It also offers a better understanding of the identification and empowerment of communities since the recognition of the role of the local community could make a great contribution to improving the site's current situation and accordingly get involved in the decision-making process. This role is highlighted through the strategic objectives of the World Heritage Convention for the "Five Cs": Credibility, Conservation, Capacity Building, Communication and Communities (Jokilehto J., 2017).⁵²

-With a view of protecting the Egyptian cultural heritage from being illicitly trafficked across the borders, an effective partnership and cooperation between Egypt and the relevant international and regional organizations such as UNESCO, ICOM, WCO, INTERPOL and UNES (United Nations Office on Drugs and Crime) is needed to provide customs' officers with wide and flexible range of activities. In this regard, capacity building workshops and training programs should be held to increase the preventive measures recommended by the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property to combat all aspects of smuggling of cultural heritage goods.

- The deep need for the Egyptian government to sign supplemental bilateral and multilateral agreements with foreign countries, for mutual assistance in criminal, concerning the repatriation of looted Egyptian antiquities. Moreover, the process of exchanging information and ongoing investigations related to the illicit trafficking of cultural property should be enhanced on an international dimension. Subsequently, negotiation channels should be conducted between the Egyptian authorities, the NGO's and the international community for restrictions on antiquities smuggling and illegal trade.

-The importance of exploring cooperation and coordination opportunities among the relevant international and regional organizations as UNESCO, INTERPOL, UNIDROIT, ICOM, ICOMOS, ICCROM, WCO and other foreign institutions and organizations, with permanent base in Egypt, to develop the proper mechanism to counter the hazardous impacts of illicit trafficking of cultural property in the MENA region, and specifically Egypt.

52 Jukka Jokilehto, "World Heritage and Community Engagement," (paper presented at the Nordic World Heritage Conference in Rauma: Living in World Heritage and Community Involvement, Finland, 11-14 September, 2017), http://lettere.uniroma2.it/sites/default/files/Jokilehto_paper_on%20five%20Cs%20of%20the%20WHC%2C%20communities%20and%20synergies%20with%20ICH.pdf [Accessed on 23 August 2019].

Conclusions

Apparently, combating the destruction of cultural heritage and illicit trafficking of cultural property has become a priority for the Egyptian government, particularly after the revolutions of 2011 and 2013. Thus, national and international efforts endeavored to increase the protection of the Egyptian cultural property from illicit trafficking not only for their economic values but also for their significant influence on the world's cultural diversity which can be potentially devastating in case of their loss.

The recent Egyptian governmental efforts indicate an assertive international movement to thwart the smuggling of cultural goods and to recover the stolen artifacts. However, in view of what has been mentioned so far, it is noticeable that the Egyptian authorities paid great attention to fight against the threat of illicit trafficking of cultural property on the international levels rather than the local ones. While national cooperation constitutes one of the most effective means for protecting the country's cultural heritage property, several local challenges still impede the implementation of a sustainable national strategy for combating the illicit trafficking of cultural goods.

In this regard, preventive measures and systematic practices to respond to this transnational crime should be discussed in coordination with relevant national agencies, international organizations, private sector and educational institutions. Moreover, national approaches appear to require further efforts, measures and development which cannot be fulfilled without the agreement and the support of the public, with a change in their common mind-set, on considering illegal trade of cultural property as a serious crime.

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