

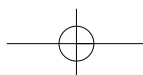
Strategies for Saving our Cultural Heritage

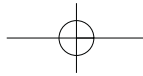
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The International Illicit Trade in Cultural Heritage: Can Museum Professionals Help Stop It?

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The illicit trade in the world's tangible cultural heritage is rampant; this is especially true for archaeological and ethnographic materials. It is a crime which has a devastating economic and psychological effect on source countries. It also results in irretrievable gaps in humankind's history and understanding. Source countries, with support from the international community, must better protect their cultural heritage. Market countries must ensure that dealers, auction houses, private collectors and museums behave responsibly. Museum professionals have skills and knowledge that could be used effectively to help combat trafficking in cultural objects.

Keywords: illicit trade, cultural heritage, museum

1. INTRODUCTION

Illicit trade of cultural property is global. It is big business and it is booming. Every year hundreds of thousands of works of art, manuscripts, ancient monuments and objects of ethnographic and archaeological significance are illegally removed from their countries of origin and sold on the international market. Due to the clandestine nature of this form of organised crime, it is impossible to determine the exact value of illicit trade but various estimates put it at as high as \$US 6 billion per year. The U.S. National Central Bureau of Interpol reports that "the annual dollar value of stolen art and cultural property is exceeded only by trafficking in narcotics, money laundering and weapons" [1].

2. COLLECTORS AND THE MARKET

All types of cultural property are at risk. Within the last few decades, however, the sale of archaeological artefacts, ethnographic materials, monumental elements and palaeontological remains has increased dramatically. Private collectors are willing to pay exorbitant sums for these objects which, on the market, are categorised as various types of "art". One might question whether the many blockbuster exhibitions and highly publicised museum acquisitions (for example, the Euphronios krater and Getty kouros) were an inspiration to collectors.

Objects on the art market can fetch very high prices. Antiquities catalogues, for example, regularly feature Etruscan, Hellenistic, Roman and Egyptian bronzes priced at almost \$100,000 each [2]. Large or rare antiquities such as pre-Columbian stelae, Greek marble sculptures or Egypt-

ian sarcophagi can command several million dollars apiece.

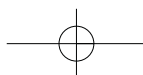
Until the mid-20th century private collectors were a select group of connoisseurs with a scholarly interest in history and other cultures. The current appeal of antiquities and ethnographic objects, though, appears to have little to do with a quest for knowledge and much to do with possessing unique and beautiful objects, displaying wealth, garnering social status and speculating in the market.

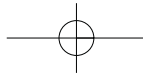
Numerous museums, particularly in the United States, Europe and Japan, also collect cultural objects. Well-funded museums, like wealthy individuals, purchase artworks, ethnographic objects and antiquities from dealers and auction houses. Museums also receive cultural objects as gifts, bequests or long-term loans from private collectors. This results in the institutions being able to enlarge and enhance their collections. In return, donors receive public acknowledgement, prestige and tax write-offs.

Collectors also include diplomats, foreign aid workers, military personnel and millions of tourists who pick up more accessibly priced cultural objects while abroad. Such items can be found in bazaars, flea markets, antique and "ethno" shops and roadside stands. Taxi drivers, restaurant workers and tourist guides, operating in areas with popular heritage sites, also serve as vendors.

A growing trend is the sale of cultural materials over the Internet. On eBay®, for example, interested buyers may place bids for a wide range of relatively inexpensive items such as Egyptian canopic jars, Roman oil lamps, Neolithic arrowheads and Moche ceremonial vessels. Auction houses catering to wealthier clients also use the Internet to provide information about upcoming auctions and online bidding procedures.

Market demand for antiquities and ethnographic ob-





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jects is mushrooming. Currently there is enough supply to feed the demand but, given the fact that heritage objects are finite in quantity, how long can the supply last? Furthermore, are all these objects legitimately on the market and what are consequences of turning them into saleable commodities?

Although much of the trade in antiquities and other cultural objects is licit, it would be naïve to assume that all of it falls within the law. Illicit trade, according to the Institute of Art and Law in the U.K., can take various forms, these being:

- the trade in stolen and looted works of art and antiquity
- the export of works of art and antiquity by the rightful owner but in contravention of export laws
- and the illegal excavation of archaeological and historical sites [3].

The international market for antiquities and ethnological materials tends to be very discrete. Dealers seldom provide much detail regarding the true “provenance”, that is, the original find spot or source and full history of an object. Many might offer a vague description of previous ownership such as “from the collection of an English gentleman” or “from a private Swiss collection”. Such phrases are, of course, of no scholarly value.

Organisations such as the Archaeological Institute of America and the McDonald Institute for Archaeological Research have strongly criticised the market’s lack of transparency, claiming it serves to mask clandestine activity and facilitates the sale of fakes. They estimate that up to ninety per cent of the antiquities on the market have no documented provenance and that most are the product of recent lootings. In addition to stealing, thieves usually leave a very wide trail of destruction in their wake [4, 5].

Ethnologists are raising similar alarms. They report that some countries have suffered so much loss of their material heritage that they are practically bereft. Burkina Faso, for example, has been robbed of most of its ritual masks [6]. Once ethnographic materials have been smuggled out of their country of origin, the chance of their ever being recovered is extremely low.

Without the tangible vestiges of their past, indigenous communities are in grave danger of losing their ancestral traditions and their cultural identity. Poor countries sink even more deeply into poverty and are deprived of the possibility of earning sustainable income generated by cultural tourism and the construction of museums and heritage centres.

The world at large also suffers. Plundering and theft result in a huge and irretrievable loss of information essential to our collective understanding of both ancient and modern cultures and civilisations. Archaeologists and ethnologists need to be able to study artefacts in their original context. Despoiled tombs, monuments and archaeological sites have little interpretive meaning.

The theft of antiquities and ethnographic objects is now so rampant that, within only decades, there may be lit-

tle left to steal. In the words of Walter Schwimmer, former Secretary General of the Council of Europe, “The illegal trade in cultural goods is one of the scourges of our time. No country is spared and developing countries are especially hard-hit” [7].

3. SOURCE AND MARKET COUNTRIES

“Source” countries – nations rich in cultural heritage – generally lie within the southern hemisphere and the Mediterranean Basin. They were once flourishing centres of civilisation but today many are forced to grapple with economic development, acute unemployment, overpopulation and political instability.

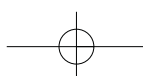
Burkina Faso, Mali, Nigeria, Iraq, Afghanistan, Indonesia, Colombia, Peru and Honduras are but a handful of states that are severely afflicted. With the greater free movement of people and goods across national boundaries, there has been a massive rise in pillaging of sacred places, historic monuments and archaeological sites in countries which were formerly closed to the West.

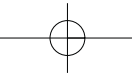
In stark contrast to “source” countries are the economically prosperous “market” countries located mainly in North America and Western Europe. The United States, the United Kingdom, France, Germany, Switzerland and Japan are primary markets of both licit and illicit cultural property.

Ironically, major market countries are themselves becoming source countries. The U.S., for example, reports a steep rise in the plundering of sacred burial sites of its indigenous populations and the U.K. is losing much of its archaeological heritage to treasure hunters. Germany’s archaeological sites are also at risk, as exemplified in the fortunate recovery in 2002 of a hoard of Bronze Age artefacts, including an important “sky disc”.



Figure 1 - A hoard of objects, including the “Sky Disc of Nebra”, looted in Germany and recovered in Switzerland. (Photo: J. Lipták, Museum of Prehistory, Halle)





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The artefacts, made of bronze and gold, were illegally removed from a site near Nebra in 1999 and twice sold on the black market before being recovered in a sting operation in Basel, Switzerland [8].

Italy and Greece are two Mediterranean countries in great peril. Every year thousands of churches, burial sites and ancient monuments are stripped of their mosaics, frescoes, ceramics, bronzes, sculptures and other highly prized items. In one case alone, more than 10,000 artefacts were recovered by Greek police from a smuggler's property near Thessaloniki [9].

Within the last few years a frightening quantity of bronzes and terra-cotta figures from archaeological sites in China, as well as decapitated heads from architectural sculptures and friezes from India, Nepal and Cambodia, have surfaced on the international art market. Many artefacts are being sold in their "as-found" condition, that is, partially covered with accretions and dirt, to reassure collectors who are wary of buying fakes.



Figure 2 - Many sculptures at Angkor Wat, Cambodia, have been damaged by looters. (Photo: D. Buser)

4. THE PATH FROM LOOTER TO COLLECTOR

Who actually carries out the looting and how do the stolen goods get from the source countries and into the private and public collections in market countries?

Looting in source countries is generally a "bottom up" process. In very poor regions such as Afghanistan, thieves are likely to be peasant farmers who scour the local area, hoping to supplement their incomes by selling whatever items they uncover. In other regions, looting is carried out mainly by bands of professional robbers with a variety of tools at their disposal – infra-red binoculars, metal detectors, bulldozers, tunnelling equipment, power tools and dynamite.

At the ancient site of Veii in Italy, thieves called *tombaroli* are adept at detecting Etruscan burial tombs by piercing mounds in open fields with long metal poles or *spiedi*. The poles enable them to calculate the depth and size of an underlying chamber and to locate its entrance. Under cover of darkness the *tombaroli* dig down to the en-

trance, crawl into the tomb and empty it of vases, bronzes and other highly prized objects. They then contact middlemen called "runners" who whisk the looted goods out of the country, typically on trucks loaded with decoy merchandise. To increase the number of antiquities which can be smuggled out, the runners may deliberately break large ceramic vases into more compact pieces [10].

Investigations initiated by the Italian *Carabinieri* led to the discovery in 1995 of thousands of vases which had been looted from sites in southern Italy, smuggled into Switzerland and hidden in a warehouse at Geneva Freeport. The warehouse was leased to Giacomo Medici, an Italian dealer who had been using it for years as a base for clandestine trade. It has recently been revealed that Medici laundered the smuggled objects via a network of dealers, auction houses and restorers before they were bought up by avid collectors and leading museums [11]. As they passed from one person to the next, the antiquities acquired a "pedigree", the intent of which was to make their clandestine origins harder to trace.

Cultural objects from Asia, Africa and Latin America which are destined for North American and European markets are smuggled via various means, including couriered post, checked flight baggage, diplomatic pouches and freight containers. Due to the high volume of freight, very few containers are ever inspected upon arrival in the destination ports.

Should cultural objects succeed in being smuggled into market countries, they will, with the aid of dealers and auction houses, quickly wind up in the hands of eager collectors and museums. See Figure 3.

In contrast to "bottom up" looting, is the less common "top down" theft. A collector puts in a request to a dealer who then contacts a runner. The runner, in turn, sends word to local thieves to steal specific objects or types of objects.

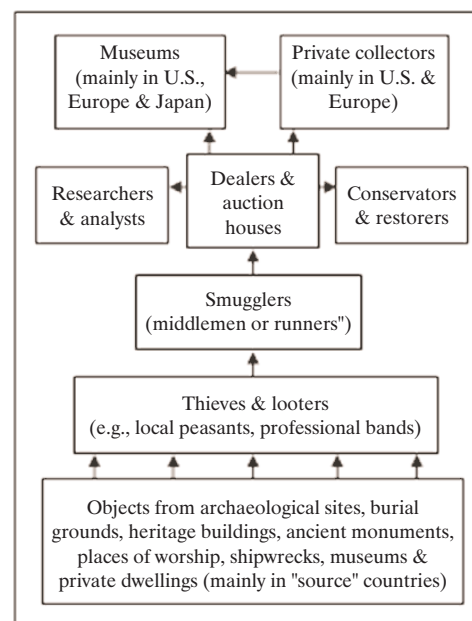
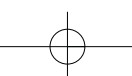
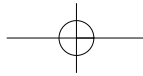


Figure 3 - A simplified depiction of "bottom-up" trafficking in tangible cultural heritage.





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During the upheaval caused by the ongoing conflicts in Afghanistan and Iraq, both “bottom up” and “top down” plundering have been prevalent. Media reports indicate that “stealing-to-order” was behind much of the looting which occurred during the Taliban regime in Afghanistan and that the trade in Afghan antiquities was being used to launder drugs money and fuel the civil war [12].

Both methods make one fact absolutely clear: without a market, there would be no grand-scale rape of the world’s tangible cultural heritage.

5. EFFORTS TO CONTROL TRAFFICKING OF CULTURAL HERITAGE

5.1 National Laws and Bilateral Agreements

The alarming loss of their material heritage has prompted several nations to take action. Many source countries, including China and Egypt, have enacted laws which severely restrict or completely ban the export of cultural objects. Some have also signed bilateral agreements, enabling stolen or illegally exported cultural assets to be confiscated and returned to the country seeking restitution. In recent years, mediations and legal actions for the return of stolen or illegally exported heritage objects have risen.

5.2 United Nations and UNESCO

The United Nations has taken a leading role in the effort to safeguard cultural property and combat illicit trade. The UN Security Council, for example, reacted swiftly to the looting of museums and archaeological sites in Iraq in early 2003. It passed a resolution whereby all Member States were obliged to assist in the restitution of the country’s stolen cultural assets.

In 1970 its specialised agency, UNESCO, adopted the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Culrural Property. To date, there are one hundred and ten States party to the convention.

Table 1 - Important international conventions for the protection of cultural heritage.

1954	Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, and 2 nd Protocol
1970	UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property
1972	UNESCO Convention Concerning the Protection of the World Natural and Cultural Heritage
1995	UNIDROIT Convention on Stolen or Illegally Exported Objects
2001	Convention on the Protection of the Underwater Cultural Heritage
2003	Convention for the Safeguarding of the Intangible Cultural Heritage
2005	Convention on the Protection and Promotion of the Diversity of Cultural Expressions

UNESCO also adopted other pertinent conventions including the Hague Convention (1954) and the Convention Concerning the Protection of the World Cultural and Natural Heritage (1972). It was instrumental in drafting the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (1995). More recently the agency adopted the Convention on the Protection of the Underwater Cultural Heritage (2001), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005). See Table 1.

5.3 Other International Organisations Striving to Combat Illicit Trade in Cultural Heritage

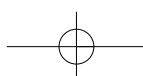
Several intergovernmental and non-governmental organisations work alongside the UN in the fight against illicit trade of cultural assets. Interpol, for example, maintains a database of reported stolen objects and collaborates with national law enforcement agencies around the globe to secure their recovery.

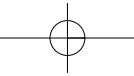
Private, not-for-profit organisations such as SAFE (Saving Antiquities for Everyone), Heritage Watch and the World Monuments Fund help by keeping the public informed, lobbying for a halt to illicit trade and supporting numerous conservation projects.

Organisations such as the International Council of Museums (ICOM), the International Council on Monuments and Site (ICOMOS), the Archaeological Institute of America, the Lawyers’ Committee for Cultural Heritage, the McDonald Institute for Archaeological Research and the Museum Security Network are engaged in many areas such as improving the security and legal protection of cultural heritage, promoting non-adversarial mediations for the return of illicitly acquired property and cultivating more awareness and ethical behaviour among professionals.

Museum professionals, in particular, need to become much better informed about the illicit trade in cultural heritage and to exert much more diligence with respect to acquisitions. Years after the adoption of the UNESCO (1970) and UNIDROIT (1995) conventions, a distressing number of museums in market countries continue to buy – often with public funds – objects that have been looted, stolen or illegally exported from their countries of origins. Equally distressing is the number of museums which acquire unprovenanced objects in the form of donations and bequests. It is still the practice in leading museums to borrow from private individuals whole collections of unprovenanced antiquities and ethnographic objects which then are featured in special exhibitions and glossy exhibition catalogues. To add insult to injury, the collections become associated more with the names of the lenders than with the cultures which originally produced them!

Such conduct is unethical and unacceptable. Illicitly obtained cultural objects which are housed even temporarily in museums attain a veil of respectability and, as a result, their market value rises dramatically. “Cleaning” of objects through museums fuels more theft and trafficking





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and fosters the continued destruction of cultural heritage sites in around the globe.

To sensitise museums to the consequences of inappropriate collection policies and to encourage more responsible conduct, ICOM recently revised its *Code of Ethics for Museums*, placing heavier emphasis on due diligence [13].

ICOM is also tackling the problem of illicit trade of cultural property in other concrete ways. It has published a four-volume public awareness series called “One Hundred Missing Objects”; it has created on its Web site (<http://www.icom.museum>) a “Red List” of stolen objects; and it collaborates with organisations worldwide to promote the safeguard of tangible heritage.

6. THE ROLE OF CULTURAL HERITAGE PROFESSIONALS IN CURTAILING ILLICIT TRADE

Cultural heritage professionals – working in the public sector or private domain – can take several measures to help curtail illicit trade.

The first step is to learn as much as possible about the trade in cultural property; ideally this should already begin in university training programs. The Internet sites and publications of the organisations mentioned in this paper, as well as many journals, books and documentaries provide a good overview. Visiting dealers and auction houses specialising in ancient, pre-Columbian and Asian art and browsing their Internet sites also provides insight.

Secondly, become familiar with pertinent international conventions, bilateral agreements, national laws and regulations regarding the import, export and transfer of cultural property.

A third action is to lobby laggard governments to enact appropriate laws, to ratify the conventions listed in Table 2 and to abolish tax write-offs for donations of unprovenanced objects to museums. Lobbying has already proven to be effective in some major market countries. Switzerland, for example, ratified the UNESCO Convention (1970) in 2003 and now has strict laws and regulations concerning the import, export and transit of art and antiquities. [14]

It is essential that every museum employee – director, member of the governing body, security staff member, curator, collections manager, exhibition designer, researcher, conservator and conservation scientist – pay strict observance to the ICOM Code. It contains clear guidelines regarding the acquisition, authentication, treatment and exhibition of objects possessing suspect provenance.

Drafting and supporting resolutions is another step forward. Through their commitment to the Berlin Resolution (2003), conservation scientists at the Rathgen Research Laboratory of the State Museums in Berlin are contributing to reducing illicit trade by authenticating only cultural objects which have a legitimate pedigree. [15]

Museum professionals would also do well to heed the recommendations of the organisation SAFE. It advocates that the best museums use due diligence and good faith to

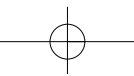
ascertain whether antiquities are missing or stolen; have legally entered the country in which they are currently located; have legally left the objects’ source countries and were scientifically excavated. Moreover, they make the objects’ complete and accurate provenance available for public inspection and they publish records of the acquisition process [16].

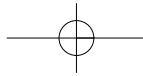
Conservators in publicly funded institutions or in private practice need to be particularly diligent. Although their primary responsibility is the long-term care and preservation of all cultural property, they should refrain from documenting, cleaning, repairing, stabilising, restoring or transporting any archaeological artefact, ethnographic object or work of art which lacks a bona fide provenance. Treating illicit obtained objects can increase their market value substantially and result in the removal of evidence (e.g. soil, accretions) which could prove useful in tracing the objects back to their source [17, 18]. Also lost is information (e.g., textile remains, bone fragments, traces of food) which aid in the reconstruction of their history and context. Knowingly treating stolen objects is tantamount to committing a crime against the history of humanity.

The growth of unlawful trade in cultural property puts museums, churches and other places of worship, monuments and archaeological sites in both source and market countries at great security risk. Cultural heritage professionals can lessen theft and damage by ensuring that buildings, sites and collections under their care are always well protected. Interpol recommends that both publicly or privately owned collections be documented according to Object ID Checklist standard [19]. Thefts and vandalism should also be reported to local law enforcement agencies, Interpol, insurance underwriters as well as to databases for stolen cultural property. A few databases include Trace (<http://www.trace.com>), the Art Loss Register (<http://www.artloss.com>) and the Lost Art Internet Database (<http://www.lostart.de/>).

With their extensive knowledge of archaeology, art history, science and technology, cultural heritage professionals are ideally qualified to assist law enforcement agencies (for example, Interpol, the FBI Art Theft Squad and the Italian *Carabinieri*) as well as international organisations (for example, ICOM, ICOMOS and UNESCO) in the fight against trafficking. Their familiarity with risk management, database management, collections management, field techniques, material identification, documentation, handling, storage and transport could prove very useful. Training customs officers and insurance adjusters how to distinguish genuine cultural objects from fakes and how to document, handle, pack and transport delicate objects are but two ways in which their skills could be applied to excellent use.

As part of their normal workload, museum professionals develop public education programs and interface with visitors to their institutions. They should consider it their duty to expand these programs to include reducing the illicit trade of cultural heritage. Exhibitions, public presenta-





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tions, open debates, media interviews and press conferences are but a few vehicles for conveying the message. They are also encouraged to get involved with cultural heritage advocacy groups where their skills, knowledge and dedication would be highly appreciated and give added credibility.

A laudable example of cultural heritage professionals getting involved took place in Huaca Malena, Peru, following the pillaging of a pre-Inca burial site. There was extensive damage to Wari textile artefacts left behind by the looters. Peruvian archaeologists and conservators responded to the disaster by inviting institutions, scholars, residents and school children to the site where they learned how archaeology can serve the community and about the importance of preserving their own heritage. Each participant was also invited to adopt a damaged textile and to help sponsor its conservation treatment. The project was a success. The looting stopped and the textiles are now proudly displayed, along with the names of the sponsors, in a new museum which draws visitors from around the world. The textiles and their story have also travelled to museums in several other countries, thus enriching our collective knowledge and appreciation of this ancient civilisation [20].

7. CONCLUSION

The world's cultural heritage sites are being destroyed at an alarming rate so that the voracious illicit market for antiquities and ethnographic objects can be fed. We may never be rid of this crime entirely but it can be curtailed. Much work needs to be done at the local, national and international level. Among the issues to be tackled are better physical protection for cultural heritage; increasing public awareness and support; changing the attitudes and conduct of all parties associated with illicit trade; ratification of cultural heritage conventions by all nations; enactment of more effective laws; and promoting cooperation and the development of mutually beneficial partnerships between source and market countries.

Museum professionals have been reticent to acknowledge the damage wrought by illicit trade. It is not too late, however, for us to join in the local, national and international efforts already in motion. Cultural heritage is one of the world's most important non-renewable resources. It is our job to preserve it.

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