



November 2020

Culture in ruins

The illegal trade in cultural property

Case study: Algeria and Tunisia

Julia Stanyard and Rim Dhaouadi

Summary

This case study forms part of a set of publications on the illegal trade in cultural property across North and West Africa, made up of a research paper and three case studies (on Mali, Nigeria and North Africa). This study is focused on Algeria and Tunisia, which share the same forms of material culture but very different antiquity markets. Attention is given to the development of online markets which have been identified as a key threat to this region's heritage.

Key findings

- The large-scale extraction of cultural objects in both countries has its roots in the period of French colonial rule.
- During the civil war in Algeria in the 1990s, trafficking in cultural heritage was allegedly linked to insurgent anti-government groups among others.
- In Tunisia, the presidential family and the political elite reportedly dominated the country's trade in archaeological objects and controlled the illegal markets.
- The modern-day trade in North African cultural property is an interlinked regional criminal economy in which objects are smuggled between Tunisia and Algeria as well as internationally.
- State officials and representatives of cultural institutions are implicated in the Algerian and Tunisian antiquities markets in a range of different capacities, both as passive facilitators and active participants.
- There is evidence that some architects and real estate entrepreneurs are connected to trafficking networks.

Introduction

Cultural heritage in North Africa has come under fire over the past decade. The Arab Spring uprisings in 2011 are often identified as the pivotal period for the region's heritage. The uprisings were a catalyst in the subsequent period of political instability, economic pressure and conflict that led to a larger-scale, more organised and systemic exploitation of the region's heritage than had been seen before.¹

Tunisia and Algeria are beneficiaries of a remarkable and varied cultural heritage

Much of the recent research on the threat to cultural heritage in the region has focused on Egypt and Libya. In the years of conflict and political chaos that have engulfed Libya, cultural looting has taken place alongside the iconoclastic destruction of cultural objects by jihadist groups.² International efforts to protect Libyan heritage have been criticised as ineffective and priceless pieces of Libyan heritage continue to appear on European and American art markets. Investigations have recently led to repatriations from the United Kingdom (UK) and United States (US).³

In Egypt, looting spiked in the aftermath of the 2008 global financial crisis and the 2011 revolution⁴ and more sophisticated and organised antiquities trafficking networks emerged.⁵ In the face of these challenges, the Egyptian government has taken a proactive approach to identify looted objects on international markets, ensuring repatriations and combatting looting at source.⁶

Tunisia and Algeria are beneficiaries of a remarkable and varied cultural heritage. These countries are home to:

- Prehistoric Neolithic materials
- Phoenician, Punic, Numidian, Greek, Roman and Byzantine sites
- Diverse Islamic artefacts from the different dynasties that governed North Africa from the middle ages to the 19th century
- A long-lasting North African Berber heritage

The region is a palimpsest of ancient material,⁷ much of which remains unexplored and unexcavated by archaeologists.

A wide range of object types is sought after by collectors, both domestically in Algeria and Tunisia, and internationally. These include:

- Mosaics, ancient coins,⁸ statuary and certain types of ceramics from the Greek, Numidian, Punic and Roman periods⁹
- Objects containing precious metals and gems
- Prehistoric objects such as fossils as well as Neolithic tools and arrows
- Non-archaeological cultural heritage such as:
 - Ancient Islamic and Jewish manuscripts¹⁰
 - Fabrics and paintings from the Ottoman period
 - Ancient carpets from the M'Zab region in Algeria
 - Ornamented chests from Taureg tribes
 - Tapestries from Kabylie, Ghardaïa and Tébessa in Algeria¹¹

Algeria and Tunisia share the same forms of material culture, they are linked by overland trafficking routes and similar modes of trafficking are found in both countries. However, the political economy of the markets differs markedly between the two countries. The Tunisian trade was closely associated with members of the former Ben Ali regime and has changed markedly since the 2011 revolution. The Algerian market is unique in terms of the role of specialised middlemen operating at the higher levels of the market.

Tunisian trade was closely associated with members of the former Ben Ali regime

The development of online antiquities markets, which enable collectors around the world to interact directly with looters and dealers in source countries, have been identified as a key new threat to the North African region's heritage. These online markets are facilitated, in particular, through major social media sites such as Facebook.¹²

This case study draws on sets of interviews conducted in Tunisia and Algeria, which have not

been the subject of the same volume of research and investigation as have their North African neighbours. Over 30 interviews were conducted with representatives from cultural ministries and affiliated

institutions in both countries, law enforcement and customs officers, archaeologists, historians and researchers, as well as art and antiquities dealers and collectors.

Legal and institutional framework

Both Tunisia and Algeria vest ownership of unexcavated archaeological material in the state and restrict the trade and export of classified types of cultural property.

Tunisia:

- The legal code for the protection of heritage, Law 94-35 (1994) represents the latest iteration in a series of legal frameworks on cultural heritage dating back to the French occupation.¹³
- Export restrictions apply to classes of goods including ancient Islamic and Byzantine artefacts and archaeological material.
- A licencing system for excavation works, and art and antique dealers aims to monitor heritage markets but these licences do not extend to trading in protected cultural property.

Algeria:

- Legislation adopted in 1998 gives the Minister of Culture the right to grant research and excavation authorisations.
- The law extends protection to 'archaeological reserves' (zones believed to be potential archaeological sites that have yet to be excavated). It also prohibits illegal excavations and exports of archaeological objects, and details the mechanisms put in place to protect cultural heritage, including inventories of sites and objects, classification and renovation activities.¹⁴

In international terms, Tunisia and Algeria have both ratified the 1970 United Nations Educational, Scientific and Cultural Organisation (UNESCO) convention under which any bilateral agreement would be enacted and they are States Parties to the 1995 International Institute for the Unification of Private Law (UNIDROIT) convention.

The two countries are reportedly working on a bilateral agreement to promote mutual cooperation and support in investigations of cultural property trafficking and to counter illicit import and export.¹⁵ Algeria has bilateral agreements with other neighbouring countries, with the European Union and with the US (signed in August 2019).¹⁶ Tunisia requested a similar agreement with the US in November 2019.¹⁷

The key institutions tasked with managing heritage in Tunisia are the Ministry of Culture, its affiliate, the Institut National du Patrimoine (INP), and the National Agency of Exploitation and Promotion of Cultural Heritage (which is tasked with managing cultural goods to maximise government revenue).¹⁸

The INP has six regional bureaus tasked with managing archaeological sites and museums; on-site management teams are tasked with site upkeep and protection.¹⁹ The INP supervises site management and liaises with law enforcement in cases of cultural property trafficking. This includes providing expert opinion on seized objects,²⁰ and the protection and conservation of objects that have been seized and repatriated.²¹

In Algeria, the responsible agencies are the Ministry of Culture and its regional directorates, the Office of Cultural Property Management and Exploitation and the National Archaeology Research Centre, which holds a similar role to Tunisia's INP. Each major site has a management team of researchers and curators. Algeria's Gendarmerie Nationale hosts a specialised cultural heritage protection unit, which operates in eight regions of Algeria.

Historical dynamics: development of a modern illegal market

Historical legacies continue to shape the contemporary market in cultural property, according to the interviews conducted with archaeologists and other long-standing observers of Tunisian and Algerian cultural heritage for this study.

In both countries, the large-scale extraction of cultural objects has its roots in the period of French colonial rule.²² Colonial authorities, archaeologists and collectors of the time believed that Europe was the 'legitimate heir' of Greco-Roman and Christian heritage in North Africa.²³ According to archaeologists and antiquities dealers interviewed in Algeria in particular, the legacy of this mentality continues to have a lasting impact.²⁴ This view has also affected attempts by the early post-independent North African states to define themselves in opposition to European colonial powers and assert their Islamic history and heritage. Objects associated with Christian and Jewish traditions are seen as easier to loot and traffic, as their protection is not prioritised by authorities.²⁵

Post-independence, the illegal market has developed in step with political dynamics.

Post-independence, the illegal market has developed in step with political dynamics

In Algeria, looting continued through the 1970s and 1980s, including several notorious cases of looting such as the sets of ancient Berber jewellery looted from across the country that re-appeared at auctions in Europe during the 1980s.²⁶ During the civil war in the 1990s, trafficking in cultural heritage was allegedly linked to insurgent anti-government groups (a precursor to trends in modern-day Libya) among others.²⁷ The security vacuum around historical and archaeological sites allowed many communities to claim their share of the market.

Tunisia tells a contrasting story of elite, corrupt control of illegal markets. Ex-President Zine El Abidine Ben Ali ruled Tunisia from 1987 until the

2011 revolution through the dominant party, the Democratic Constitutional Rally, and the security apparatus.²⁸ Under the rule of the ex-President, the presidential family and their associates, such as the Trabelsi and Materi families, reportedly dominated the country's trade in archaeological objects and antiquities.²⁹

This was part of a wider system of state capture in which elite families connected to the regime exploited their power and influence to control the Tunisian economy, both licit and illicit. According to our interviewees, these leading families directed illegal excavations, collected objects at their properties as well as classified archaeological sites and smuggled them abroad to the international market.

Following the revolution, hundreds of archaeological objects, both from Tunisia and abroad, were seized at their properties.³⁰ The most emblematic piece, discovered decorating a swimming pool at Ben Ali's son-in-law's residence, is a marble mask of a Gorgon originally discovered in Annaba, Algeria. Annaba is the site of the Roman city of Hippo Regius and the mask was stolen in 1996 during the Algerian civil war. The mask has since been repatriated to Algeria.³¹

Officials in the cultural ministries and regional governments were considered to be complicit with the Ben Ali regime's appetite for antiquities. A former mayor of Tunis was prosecuted in 2015 for his involvement in antiquities trafficking under the regime.³²

Interviewees reported an exponential increase in the number of illegal excavations and exports of objects from Tunisia in the political instability following the revolution, between 2011–2013. The majority of these illegally exported objects are believed to have been removed without detection.³³

The contemporary picture: an interlinked regional criminal economy

The modern-day trade in North African cultural property is an interlinked regional criminal economy in which objects are smuggled between Tunisia and Algeria as well as internationally. Figure 1 is a map showing the air, sea and overland routes, the national trading hubs and the regions where sites are most at risk.

Figure 1: Map showing routes, trading hubs and at-risk sites



This is an active criminal market:

- In Tunisia, 35 000 seized objects have been consigned to the INP for analysis, verification and storage after being seized by law enforcement between 2011 and 2018.³⁴
- In Algeria, 123 individual cases of antiquities trafficking were investigated between 2016 and the first quarter of 2019, in which 8 600 objects were recovered (7 500 of which were ancient coins).³⁵
- In the first half of 2019 alone, 43 suspects were arrested in Algeria and 4 427 objects were seized.³⁶

In isolation, these figures can seem abstract. The number of objects seized does not shed light on the cultural and economic value of these objects, their rarity and the destruction of archaeological context involved in bringing them to market. Arrest numbers likewise do not give contextualising information on the value of

the investigations or the role of arrestees in criminal organisations.

These figures cannot be a reflection of the size of antiquities markets, as the vast majority of objects are understood to be trafficked without detection, and those seized make up an unknown but likely small proportion of the whole. At the same time, these figures do provide some quantitative evidence of a market that is famously lacking in reliable data and reinforces the picture received in interviews that looting continues in both countries and demand is unabated.³⁷

The eastern and southern regions of Algeria are the most affected by looting.³⁸ These regions are the richest sources of as-yet unexcavated Roman archaeological sites, which are understood to have consistent international demand and are geographically vulnerable to looting and trafficking. Sites in eastern

Algeria are close to Tunisian borders and western cities, meaning that it is logistically convenient to export Algerian objects over the border. The southern sites, especially those in remote desert locations, are difficult for authorities to supervise and so can be excavated undisturbed.

Overland trafficking routes link the regions. Objects are understood to be included with other forms of contraband transported between Tunisia and Algeria by car and truck, in both directions. The geographical characteristics, including deserts and mountains, of the Algerian, Tunisian and Libyan borders facilitate the illegal circulation of goods.³⁹ Libya is both a source country for objects looted on Libyan archaeological sites and a transit country for Tunisian objects.⁴⁰

Eastern and southern Algeria are the richest sources of as-yet unexcavated Roman archaeological sites

This intraregional trade serves internal demand, such as the historical demand for Algerian objects by the Ben Ali family. It may also serve the purpose of allowing traffickers to disguise the original source of objects, which are then exported from the transit country, and to obtain export licences fraudulently.⁴¹

Trade in looted objects naturally gravitates towards regional hubs for art and antique trading, including:

- The Medina (old town) of Tunis
- Monastir, a well-known tourist destination with both a port and an airport
- Hammamet, a tourist city situated in the north of Tunisia
- The famous street market called 'Oued Kniss' in Algiers
- The city of El Djem

El Djem is built around a Roman amphitheatre and has been a commercial hub for centuries.⁴² It specialises in informal commerce and is famous for its avenues of shops selling contraband objects from Algeria and Libya. It was described as a hub for smugglers. Pieces are gathered together in storage with other illicit goods

and are then dispatched through ports in Sousse or the airport in Monastir.

Smugglers operating in El Djem are reportedly part of specialised antiquities smuggling networks that became involved in the market before the revolution. These trafficking networks are reportedly linked to criminal groups in Europe, particularly in Malta and Italy.⁴³

Sea transport was highlighted as a primary means of transporting objects from Algeria and Tunisia, mainly to Europe. While certain wealthy smugglers make use of private yachts,⁴⁴ more often objects are moved through container ports, relying on the low proportion of containers that are searched.⁴⁵ This seems to be the easiest and most favoured way to smuggle heavy and conspicuous archaeological objects out of the country, especially because smugglers can easily bribe custom officers in charge of controlling merchandise.⁴⁶

Antiquities trafficking networks are reportedly linked to criminal groups in Europe

Air routes are frequently used to smuggle small objects and coins, which often go undetected by border control services. Tunis-Carthage and Monastir airports in Tunisia and Constantine airport in Algeria are very active according to most interviewees. The Tunis-Carthage airport is the main airport in Tunisia and is close to archaeological sites located in the north, east and west of the country. Monastir is an important tourist airport that covers the centre of the country and is close to many historical cities and archaeological sites, for example, Sousse, Mehdia and El Djem.

In terms of destination markets, interviewees confirmed that objects from the Roman and Punic period are generally destined for the US and Europe (especially France, Italy and Germany). Objects from the Islamic period are, by contrast, in demand in the Gulf countries and Turkey. Gold Islamic coins also find ready buyers in Europe. Some interviewees in Algeria mentioned China and Japan as destination markets for meteorites discovered in the south.⁴⁷

Interviewees also suggested that the growing presence of Chinese enterprises in Algeria has created new market opportunities. Trafficked ancient Chinese objects,

such as Jade seals, silk tapestry, ancient fabrics and weapons, are traded in exchange for Neolithic items from the south of Algeria.

Key examples of trafficked Algerian and Tunisian objects

The Casbah of Algiers

A major renovation project of the Casbah (old city) of Algiers was undertaken between 2010 and 2016.⁴⁸ During renovation work, many historical objects, especially ancient mural paintings and mosaics, were stolen. Some of the mosaics were later found in France, Portugal, Spain and Turkey.⁴⁹

Emperor Marcus Aurelius bust

A marble bust of the Roman emperor Marcus Aurelius, stolen from the museum of Skikda (in north-east Algeria) in 1996, was found in an auction house in New York in 2004 and recovered by Algeria after being identified by the Art Loss Register.⁵⁰

The Blue Qur'an of Kairouan

This manuscript, written in gold calligraphy on blue vellum, is one of the earliest versions of the Qur'an, originating from the city of Kairouan during the 9th century. In 2009, about 53 pages of several manuscripts were reported stolen by INP researchers at the Islamic Museum of Kairouan in Tunisia. Other volumes of this Qur'an were allegedly traded in Europe during the 20th century.⁵¹ Some pages of the Blue Qur'an reportedly came into the possession of the British auction house, Christie's, during the 1970s. In 2017, two pages were put on sale, as illustrated in Figure 2.⁵²

Figure 2: A Kufic Qur'an Folio on blue vellum



Ksar Fatma illegal excavations

A large number of archaeological objects were reportedly excavated at the Ksar Fatma archaeological site in El Tarf, Algeria, in 2006. The objects were smuggled through Tunisia and Italy to Munich, Germany.⁵³

Statuette of Ganymede

In November 2013, the statuette of Ganymede, a white marble piece, was stolen from the Carthage Museum. A former INP director interviewed stated that such a piece is rare and well-known and could never be sold at an international auction without being detected. The statuette was reportedly stolen during the night, which might implicate guards present that night.⁵⁴

Key actors

In both Tunisia and Algeria, widespread subsistence looting is carried out by people without any particular expertise in archaeological excavation who live in areas local to the archaeological sites. The small finds resulting from these excavations, usually ancient coins, are then brought to owners of antiquities shops in Tunis, El Djem and Algiers. From here they are sold on to the tourist market. Some landowners who make accidental finds on their properties also reportedly trade these objects with antiquities dealers.

In both countries, many archaeologists are believed to be involved in looting and illegal excavations.⁵⁵ The archaeologists that were interviewed described a complex situation. Some were motivated to take objects from sites to protect them from deterioration, theft and vandalism, as the protection measures on-site were seen as insufficient. Others, however, were reportedly implicated in the theft of objects, using their expert knowledge of sites and excavation techniques for personal gain.⁵⁶

Some archaeologists were motivated to take objects from sites to protect them from deterioration

In Tunisia, larger networks of more professional looters, smugglers and collectors reportedly developed in the aftermath of the 2011 revolution. The lack of security and political stability, weakness of cultural institutions and economic pressures on the country at that time, drew new, more criminal actors into the market.⁵⁷ Antiquities smuggling networks have flourished in the Kasserine since the revolution. This area is one of the least economically developed regions in Tunisia⁵⁸ but it has two major Roman archaeological sites, Haidra and Sbeitla, and is situated very close to the Algerian border.⁵⁹

Many interviewees also mentioned that some architects and real estate entrepreneurs are connected to these trafficking networks. Equipped with heavy machinery such as bulldozers and workers to clear the land before construction begins in archaeological areas, they are well-positioned to excavate antiquities.⁶⁰

Unique to Algeria are self-described 'art facilitators' who are different from traditional antiquities dealers. They are described as connoisseurs who have an academic background in archaeology, biology or history, and who specialise in collecting and renovating objects before putting them on sale for high-level collectors in Algeria or abroad.⁶¹ A professional and organised network,⁶² this group plays a specialised intermediary role between looters and collectors.

Art facilitators use their expertise to identify valuable objects to invest in and to search for specific, unique objects on a client's behalf. An art facilitator interviewed in Algiers is paid EUR150 per hour by clients and recruits other people to ensure efficiency, speed and discretion in his work.

A network of connections allows these art facilitators to fulfil their roles successfully and discreetly. These connections range from renovation technicians and transportation specialists to, reportedly, insurance companies in France and Italy.⁶³ Their clientele is reportedly comprised of antiquities collectors both within Algeria and abroad, including politicians, government officials and diplomats, as well as French, Italian, Moroccan and Qatari businessmen.

Foreigners reportedly pay higher prices for Tunisian objects than locals do

There is a significant community of antiquities collectors within Tunisia and Algeria. Following the fall of the Ben Ali regime in Tunisia, the market has reportedly become reoriented towards foreign collectors – including collectors from Italy, France, Germany and increasingly from Gulf countries.⁶⁴ These foreigners reportedly pay higher prices for Tunisian objects than locals do. Several Tunisian-based collectors had objects seized in recent years and faced criminal charges.⁶⁵

An Algerian collector – whose collection includes Roman statuettes, coins, mosaics and Ottoman and Arab manuscripts – expressed concern in an interview about the risk involved in collecting certain objects and the need to collaborate with criminal actors including dealers and site looters.⁶⁶ However, Algerian collectors are understood to face little risk as illegal antiquities

collecting is not seen as a priority issue by authorities according to several interviewees. European collectors were identified as the major buyers in Algeria. Foreign collectors have been known to tour the country posing as tourist groups to collect archaeological objects.⁶⁷

Institutional action and the challenge of corruption

State officials and representatives of cultural institutions are implicated in the Algerian and Tunisian antiquities markets in a range of different capacities, both as passive facilitators and active participants.

Corruption was cited as a key driving factor of the trade in both contexts.⁶⁸ Corrupt customs officials at seaports can turn a blind eye to trafficked objects. Site officials, as key gatekeepers, can profit from allowing looters to be present on the sites they are mandated to protect. They can also exploit their access to sites and museums to loot objects either directly from sites or from state-held collections.

Police forces in both countries are taking steps to dismantle trafficking networks

Interviewees believed that the period of social unrest and insecurity following the downfall of the Ben Ali regime saw an exponential increase in antiquities trafficking and the potential involvement of high-level corruption and criminal activity in Tunisia. The void left by former powerful families and relatives of the political leadership was filled by new opportunistic actors.⁶⁹ Corruption implicating high-level political figures and cultural heritage officials was seen as a major issue in both Tunisia and Algeria.⁷⁰

However, at the same time that preventative protective measures to counter looting seem to be failing, police forces in both countries are taking steps to dismantle trafficking networks.

In Tunisia, despite a lack of financial resources to protect sites and maintain storage facilities, the endemic corruption of those tasked with protecting sites and the fact that this issue is not a political priority, the police and Garde Nationale forces have

succeeded in dismantling several antiquities trafficking networks in recent years.⁷¹

The creation of a special unit of the Gendarmerie Nationale in Algeria was seen as an asset in the capacity of law enforcement to counter the issue. It has enabled them to take a proactive approach to dismantling networks and working with counterparts in destination countries.⁷²

Conclusions

The regional economy for North African antiquities is linked by the demand for similar types of heritage objects in both the Western world and elsewhere and connected by overland trafficking routes throughout the region. There are also similarities in the type of actor involved, from the occasional participants in the illegal trade to the developed, sophisticated networks that deal with higher-value objects and have specialised skills relating to dealing in material culture.

While cultural heritage may be under greater pressure in Egypt and Libya, both Algeria and Tunisia face key challenges in protecting their shared heritage. These challenges include institutional transparency, corruption, low political priority and a lack of financial resources to protect sites.

Recommendations

- Joint investigations and mutual cooperation in dealing with illicit antiquity trading must be undertaken to increase the level of effectiveness of the inquiries. The two countries are reportedly working on a bilateral agreement to promote mutual cooperation and support in investigations of cultural property trafficking and to counter illicit import and export.
- Despite the failure to counter looting, the police forces in both countries are taking steps to dismantle trafficking networks and this initiative must be supported nationally and regionally.
- Financial resources must be made available and political pressure must be put on those tasked with protecting cultural heritage sites and maintaining storage facilities.
- The creation of a special unit of the Gendarmerie Nationale in Algeria is an asset and additional resources and political backing must be provided to improve their capacity to counter the issue.

Notes

- 1 KA Paul, Cultural racketeering in Egypt: predicting patterns in illicit activity: quantitative tools of the 21st-century archaeologist, *The Antiquities Coalition*, 6 January 2016, <https://theantiquitiescoalition.org/cultural-racketeering-in-egypt-predicting-patterns-in-illicit-activity-quantitative-tools-of-the-21st-century-archaeologist/>.
- 2 Antiquities Coalition, *The AC digs into: Libyan cultural heritage*, 26 February 2018, Antiquities Coalition: *The AC Digs Into: Libyan Cultural Heritage*, February 26, 2018; L McEnaney, Libya profile, SAFE – *Saving Antiquities for Everyone*, <http://savingantiquities.org/global-concern/libya/>; Associated Press, Libya's cultural heritage 'being destroyed and plundered by Isis', *The Guardian*, 15 December 2015, www.theguardian.com/world/2015/dec/15/libyas-cultural-heritage-being-destroyed-and-plundered-by-isis; T Cornwell, Looters exploit the political chaos in Libya, *The Art Newspaper*, 19 October 2016, www.theartnewspaper.com/news/looters-exploit-the-political-chaos-in-libya/.
- 3 N Brodie, Why is no one talking about Libya's cultural destruction, *Near Eastern Archaeology*, 78:3, 2015, 212–217; H Shlebak, British Museum set to return ancient Greek statue looted from Libya, *Middle East Eye*, 12 November 2019, www.middleeasteye.net/news/uk-returning-libyan-statue; Libyan Express, US returns to Libya looted 6th century marble statue, 6 October 2019, www.libyanexpress.com/us-returns-to-libya-looted-16th-century-marble-statue/.
- 4 S Parcak et al, Satellite evidence of archaeological site looting in Egypt: 2002–2013, *Antiquity*, 90:349, 2016, 188–205; S Parcak, Archaeological looting in Egypt: a geospatial view (case studies from Saqqara, Lisht and el Hibeh), *Near Eastern Archaeology*, 78:3, 2015.
- 5 KA Paul, Cultural racketeering in Egypt: predicting patterns in illicit activity: quantitative tools of the 21st-century archaeologist, *The Antiquities Coalition*, 6 January 2016, <https://theantiquitiescoalition.org/cultural-racketeering-in-egypt-predicting-patterns-in-illicit-activity-quantitative-tools-of-the-21st-century-archaeologist/>.
- 6 S Parcak et al, Satellite evidence of archaeological site looting in Egypt: 2002–2013, *Antiquity*, 90:349, 2016, 188–205; US Immigration and Customs Enforcement, Ancient gold coffin repatriated to Egypt in New York ceremony, 26 September 2019, www.ice.gov/news/releases/ancient-gold-coffin-repatriated-egypt-new-york-ceremony; Egypt Independent, EU ambassador backs Egypt's efforts to recover smuggled antiquities, 18 June 2019, <https://egyptindependent.com/eu-ambassador-backs-egypts-efforts-to-recover-smuggled-antiquities/>.
- 7 Interview with an archaeologist and International Relations scholar, Tunis, Tunisia, February 2019.
- 8 Identified by antiquities dealers in El Djem and multiple Algerian-based antiquities dealers as the form of material culture on the illegal market for which demand is highest, July 2019.
- 9 Interview with an archaeologist and International Relations Scholar suggested that certain types of Punic ceramics are among the most sought-after, partly for their rarity and partly because the Punic remains often lie beneath Roman remains, making excavations more challenging, Tunis, February 2019.
- 10 For example, a rare Torah manuscript seized in 2017: MKJ, Tunisie : saisie d'un manuscrit rare de la Torah, 10 March 2017 www.webdo.tn/2017/03/10/tunisie-saisie-dun-manuscrit-rare-de-torah/.
- 11 Interviews, art dealers, Annaba, 2019.
- 12 Amr Al-Azm, KA Paul and S Graham, Facebook's black market in antiquities: Trafficking, terrorism, and war crimes, June 2019, <http://atharproject.org/report2019/>.
- 13 Earlier legislation included: Decree of 7 November 1882 that placed a number of archaeological sites under the authority of the Bey; Decree of 8 March 1885 that created a department of antiquities; Decree of 7 March 1886 that defined the classification methods for archaeological objects; Decree 8 January 1920 that placed antiquities of the pre-Arab/Islamic period under the sole authority of the Tunisian state. See also: A Laabidi, La protection des biens culturels en Tunisie, *Actual Jurid Tun*, 11, 1997, 49–65.
- 14 Articles 10 to 40 of the Law 98 – 04 adopted on 15 June 1998.
- 15 M Polner, Preventing illicit trafficking of cultural objects: a supply chain perspective, in S Hufnagel and D Chappell, (eds), *The Palgrave Handbook on Art Crime*, 2019, <https://doi.org/10.1057/978-1-137-54405-6>.
- 16 Public summary of this agreement, released by the US Department of State, <https://eca.state.gov/files/bureau/algeria-request-public-summary.pdf>.
- 17 International Trade Compliance Update, US-Tunisia requests cultural property protection, 27 November 2019, www.internationaltradeupdate.com/2019/11/27/us-tunisia-requests-cultural-property-protection/.
- 18 Law 1988-11 adopted on 25 February 1988, modified in 1997 by Law 97-16 adopted on 3 March 1997.
- 19 Interview with an INP representative from the Seizures Control Department, Tunis, May 2019.

- 20** Interview with an INP representative from the seizures in the public domain department, Tunis, June 2019.
- 21** Interview with an INP representative from the specialised branch in the Roman and Byzantine area at the INP, Tunis, June 2019.
- 22** Interview with a retired archaeologist and former head of the excavation and research in the site of Bulla Regia, Tunis, May 2019.
- 23** C Fenwick, Archaeology and the search for authenticity: colonialist, nationalist, and Berberist visions of an Algerian past, *Theoretical Roman Archaeology Journal*, 2008, www.researchgate.net/publication/320363224_Archaeology_and_the_Search_for_Authenticity_Colonialist_Nationalist_and_Berberist_Visions_of_an_Algerian_Past.
- 24** Interview with regional officer of the Ministry of Culture, Tipaza, Algeria, June 2019.
- 25** Interview with a jurist and an antiquities collector, Tipaza, Algeria, June 2019.
- 26** Interview with a historian and former curator of Annaba Hippo Museum, Annaba, Algeria, June 2019.
- 27** Interview with a former national police commander in Annaba, Algeria, June 2019.
- 28** M Camau, Tunisie: vingt ans après: de quoi Ben Ali est-il le nom? , IV | 2008, <https://journals.openedition.org/anneemaghreb/480>.
- 29** This was part of a wider pattern of exploitation by these elite families, who made use of their privileged position and the capture of state structures to engage in many types of trafficking, abused the state security apparatus against Tunisian citizens and took possession of businesses through extortion and corruption. See: F Alziria, The Godfathers of Tunisia, 25 May 2012, <https://foreignpolicy.com/2012/05/25/the-godfathers-of-tunis/>.
- 30** S Badreddine, Archéologie: un patrimoine spolié, récupéré mais toujours en danger, *Nawaat*, 21 March 2013, <https://nawaat.org/portail/2013/03/21/archeologie-un-patrimoine-spolie-recupere-mais-toujours-en-danger/>.
- 31** C Shaw, Looted marble Mask of Gorgon returned to Algeria, *The Art Newspaper*, 11 April 2014, <http://ec2-79-125-124-178.eu-west-1.compute.amazonaws.com/articles/Looted-marble-Mask-of-Gorgon-returned-to-Algeria/32345>.
- 32** <https://www.tunisienumerique.com/mandat-de-depot-contre-beji-ben-mami/>.
- 33** Interview with a representative from the specialised branch in the Roman and Byzantine area at the INP, Tunis, June 2019.
- 34** Interview with an INP representative from the Seizures Control Department, Tunis, May 2019.
- 35** Presented by a National Gendarmerie officer during a conference on the protection of cultural heritage in Algiers, Algeria, June 2019.
- 36** Presented by a National Gendarmerie officer during a conference on the protection of cultural heritage in Algiers, Algeria, June 2019.
- 37** Interview with and Algerian jurist and antiquities collector, Tipaza, Algeria, June 2019.
- 38** Interview with an official of the custom services, Algiers, Algeria, July 2019.
- 39** Interview with a representative from the Traditions, Arts and Local Memory Conservation in the city of Jendouba, June 2019.
- 40** Interview with an INP representative from the Seizures Control Department, Tunis, May 2019.
- 41** Interview with a retired archaeologist and former head of the excavation and research at the site of Bulla Regia, Tunis, May 2019.
- 42** Interview with a representative of the Bulla Regia museum and archaeologist site, Jendouba, June 2019; Interview with a representative of the INP, 2019.
- 43** Interview with a retired archaeologist and former head of the excavation and research at the site of Bulla Regia, Tunis, May 2019.
- 44** Interview with an investigative journalist, Tunis, February 2019; Interview with an antiquities dealer, archaeologist and 'art facilitator', Algiers, Algeria, July 2019.
- 45** Overview of serious organised crime in North Africa, INTERPOL, 2018, <https://enact-africa.s3.amazonaws.com/site/uploads/2018-12-12-interpol-north-africa-report.pdf>.
- 46** Tunisie/corruption: témoignage inédit d'un membre du clan Ben Ali, www.nouvelobs.com/monde/20170520.AFP3651/tunisie-corruption-temoignage-inedit-d-un-membre-du-clan-ben-ali.html.
- 47** One interviewee recounted an instance where rare fossils from Adrar, in the south of the country, were found in the luggage of a Chinese engineer trying to leave the country.
- 48** Suvegarde la Casbah d'Alger, www.huffpostmaghreb.com/2018/01/25/sauvegarde-de-la-casbah-d_n_19078918.html.
- 49** According to the same source.
- 50** <https://www.elwatan.com/archives/epoque/on-vous-le-dit-792-19-01-2008>.
- 51** Page of the Blue Qur'an, renowned Tunisian Artifact, to be sold in London, <https://iqna.ir/en/news/2306482/>

- page-of-the-blue-quran-renowned-tunisian-artifact-to-be-sold-in-london
- 52** Description of the manuscript's pages on Christie's website on 28 October 2018, www.christies.com/lotfinder/Lot/a-kufic-quran-folio-on-blue-vellum-6162814-details.aspx.
- 53** Interview with an archaeologist, Algiers, Algeria, July 2019.
- 54** Interview with an INP representative, Tunis, Tunisia, May 2019.
- 55** Almost all interviewees said that archaeologists are involved in the trafficking of antiquities, either because they collect or sell items or because they provide expertise to collectors/traffickers. Interview with an archaeologist and representative of the Culture, Heritage, Education and Youth Committee at the municipality of El Kef, El Kef, June 2019.
- 56** Interview with an archaeologist and representative of the Culture, Heritage, Education and Youth Committee at the municipality of El Kef, El Kef, June 2019.
- 57** Farouk Ben Ammar, Tunisie: trafic d'antiquités, une activité à réprimer ou à organiser? *Huffington Post Maghreb*, 22 March 2017, www.huffpostmaghreb.com/farouk-ben-ammar/tunisie-traffic-dantiquite_b_15514292.html.
- 58** Démantèlement d'un réseau de trafic de pièces archéologiques, *Réalités*, 31 March 2019, www.realites.com.tn/2019/03/demantelement-dun-reseau-de-traffic-de-pieces-archeologiques/.
- 59** Indicateur de développement régional: étude comparative en terme de développement régional de la Tunisie, ITCEQ, 2012, <http://cgdr.nat.tn/upload/files/13.pdf>; Interview with representative from the Custom Services Investigations Department, Tunis, May 2019.
- 60** Interview with an archaeologist, Tunis, May 2019.
- 61** Interview with an antiquities dealer, Algiers; Interview with an archaeologist and art collector, Algiers, Algeria, June 2019.
- 62** Art facilitators can be asked to oversee all steps in relation with the search, acquisition and renovation of old and damaged objects. They usually have private workshop for renovation equipped with scanners and 3D printers for reconstitution of broken pieces.
- 63** These two countries were mentioned during an interview with an art facilitator in Algiers, June 2019.
- 64** Interview with the director of the branch of the INP that specialises in Roman and Byzantine artefacts, Tunis, June 2019.
- 65** Patrimoine archéologique: 4 mille saisies depuis la révolution! *Business News*, 17 January 2016, www.businessnews.com.tn/patrimoine-archeologique--4-mille-saisies-depuis-la-revolution-,519,61761,3.
- 66** Interview with an Algerian architect and collector who own an important family collection, Constantine, Algeria, July 2019.
- 67** Interview with an Algerian jurist and antiquities collector, Tipaza, Algeria, June 2019. Another interviewee recounted the case of five German tourists reported missing in the desert in 2004. Authorities had feared a kidnapping by terrorist groups but when they were eventually found and repatriated, they were in possession of 130 archaeological objects stolen on sites.
- 68** Interview with an officer from the Gendarmerie Nationale, Algeria.
- 69** Interview with INP representative from the Seizures Department, Tunis, May 2019.
- 70** Interview with an official from the Ministry of Culture, Algiers, Algeria, June 2019.
- 71** Farouk Ben Ammar, Tunisie: trafic d'antiquités, une activité à réprimer ou à organiser? *Huffington Post Maghreb*, 22 March 2017, www.huffpostmaghreb.com/farouk-ben-ammar/tunisie-traffic-dantiquite_b_15514292.html.
- 72** Interview with an officer from the Gendarmerie Nationale.



About the authors

Julia Stanyard is an analyst at the Global Initiative. She holds master's and bachelor's degrees from the University of Cambridge. Her MPhil thesis was on crime prevention strategies taken to combat the illicit antiquities trade. She has recently completed a fellowship with the British Institute for Eastern Africa, researching illicit antiquities in Africa.

Rim Dhaouadi is a research consultant for the ENACT programme. She is a lawyer and has a master's degree in international law from Aix-en-Provence. She was legal officer and programme manager with Democracy Reporting International and with the Geneva Center for Democratic Governance of Armed Forces.

About this case study

This case study forms part of a set of publications on the illegal trade in cultural property in North and West Africa, made up of research paper 18, as well as three case studies (on Mali, Nigeria and North Africa).

About ENACT

ENACT builds knowledge and skills to enhance Africa's response to transnational organised crime. ENACT analyses how organised crime affects stability, governance, the rule of law and development in Africa, and works to mitigate its impact. ENACT is implemented by the Institute for Security Studies and INTERPOL, in affiliation with the Global Initiative Against Transnational Organized Crime.

Acknowledgements

ENACT is funded by the European Union (EU). The authors would like to thank Simone Haysom for her guidance and support during the fieldwork and coordination of this research, and also the many archaeologists and heritage experts consulted for this research for their generosity in sharing their time, expertise and dedication to their field.



Cover image: Alamy

The contents of this publication are the sole responsibility of the authors and can in no way be taken to reflect the views or position of the EU, or the ENACT partnership. Authors contribute to ENACT publications in their personal capacity.

© 2020, ENACT. Copyright in the volume as a whole is vested in ENACT, its partners, the EU and the authors, and no part may be reproduced in whole or in part without the express permission, in writing, of the author and the ENACT partnership.