



# Combating Illicit Trafficking of Documentary Cultural Heritage

## *An Introduction*

- 1) *Libraries can play an important role in fighting the illicit trafficking of documentary cultural heritage.*
- 2) *This requires all stakeholders understand how the process of cataloguing documentary heritage differs from other forms of moveable heritage.*
- 3) *Published materials present unique challenges, as they are produced in multiples, and often with the intention of being sold and disseminated across national borders.*

### The UNESCO 1970 Convention

November 2020 marks the 50<sup>th</sup> anniversary of the [1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property](#).

This Convention provides an international framework for the prevention of theft and looting, as well as the return and restitution of stolen cultural property. In tandem with other legal instruments, such as the [UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects](#), the 1970 Convention has been at the forefront of the fight against the illicit trafficking of cultural property since it was adopted.

The common understanding of cultural property trafficking tends to focus primarily on theft of art and antiquities. *So where do libraries fit in?*

This introduction will explore the unique context of documentary heritage, which makes countering trafficking a challenge. Read on to better understand some key points for you to consider in the fight against the illicit trafficking of library collections.

### Libraries in the 1970 Convention

Included in the Convention's definition of cultural property are objects that may well be represented in the collections of libraries:

- property relating to history, including the history of science and technology and military and social history; to the life of national leaders, thinkers, scientists and artist and to events of national importance
- pictures, paintings and drawings produced entirely by hand on any support and in any material
- original engravings, prints and lithographs
- rare manuscripts and incunabula, old books, documents and publications of special interest (historical, artistic, scientific, literary, etc.) singly or in collections
- archives, including sound, photographic and cinematographic archives

To be concise, we will use the term *documentary heritage* to summarise these types of cultural property.

The Convention goes on to urge State Parties to support the development of museums, libraries, and archives, as these institutions are instrumental in helping ensure the preservation and presentation of cultural property.

We urge libraries to become important parts of these networks, working at the local, regional, and national level to help protect cultural heritage from theft.

## Documentary Heritage Theft and Trafficking

Librarians can help build understanding of the unique context of documentary heritage, and how it may differ from other types of cultural property. Here are some key points to get you started:

### The Challenge of Materials Printed in Multiples

Books, incunabula, pamphlets, and other forms of published documentary heritage are unique among forms of moveable heritage precisely for the fact that they are usually not unique. They have often been published as multiple copies.

This is at the heart of what makes fighting the illicit trafficking of documentary heritage different to that of other forms of heritage. It brings up some difficult questions for librarians and booksellers to answer:

Published materials are created in **multiple copies** by their nature and have often been produced with the intention that they be **sold and disseminated across national borders**.

*What differentiates (in value, in character) one copy of printed material (i.e. an early printed book) from another?*

*Why does it matter that one copy gets trafficked, when there are (many) other copies in collections?*

If we uphold that every authentic print and page of a documentary heritage objects carries some amount of cultural value, the trade of this material must be subject to due diligence. We must ensure the systems and tools in place are equipped to take on these unique challenges.

### Theft of Materials

Another challenge is the ease with which documentary cultural heritage can be stolen, even within the institutions protecting it. Libraries may simply not be equipped with the same level of security as art and history museums.

In addition, books offer the possibility for theft of individual pages, which is altogether less easily detected than the theft of whole objects.

In some parts of the world, like the Middle East and North Africa (MENA) region, rare books and manuscripts are often are kept in personal collections within private homes.

It is important to be aware that significant holdings of rare materials are still in private hands, so building networks and cooperative efforts, where appropriate, may be beneficial.

#### Example

Art thief Edward Forbes Smiley was convicted in 2006 of stealing maps from rare books in the reading rooms of libraries in the United States and Great Britain.

Smiley admitted to stealing a total of 97 rare maps, totalling an estimated \$3 million in value.

He carried out these thefts by removing the maps with a razor blade. Recovered maps had been trimmed to hide the evidence that they had been cut from books [\[source\]](#).

### Object ID, Uniqueness, and Provenance

[Object Identification \(Object ID\)](#) provides a standardised procedure by which unique objects of moveable heritage are identified and described. This international standard was developed in collaboration with the museum community, police, customs agencies, art traders, the insurance industry, and appraisers of art and antiques.

It can be used, for example, to develop a checklist of information required to identify stolen objects, as a documentation standard, and in the development of information networks [\[Source\]](#).

## Documentary Heritage and Object ID

Books and printed materials provide a challenge when it comes to applying Object ID. Differentiating between multiple copies may only be possible through variances in the state of preservation.

Object ID approaches this challenge by urging collection-holders to document distinguishing features, such as tears, creases, abrasions, holes, evidence of past restorations, stains, and edge patterns.

However, if a book has no notable markings or damages, it becomes extremely difficult to identify it as a specific copy, and so assess provenance, that is, ascertain where the book came from during the process of sale, or identify it as the same object that has been reported missing or stolen elsewhere.

### Library Cataloguing

It must be recognised that library cataloguing practices for published items differ from that of museum and art cataloguing. A more appropriate approach to cataloguing published material puts less emphasis on distinguishing features and more on bibliographic information.

However, some published material does have a strong tradition of ownership markings, which may not be always recorded in documentary heritage records for individual items.

Even if it is not possible to retrospectively catalogue a collection with every unique identifier documented, library professionals should at least make sure that they have good records of their ownership markings and practices, and also how items have been marked as deaccessioned over the years.

This is an important area that can be improved for more effective theft and trafficking prevention. If a more standardised approach to documenting published items can be established, we stand a better chance of properly identifying and returning books before and after the point of sale.

#### Where to begin...

Keeping good records of ownership markings and accession/deaccession practices is a good place to start, even when it is not possible to catalogue every unique identifier across your collection.

## Social Media as a Marketplace

In a growing trend, stolen cultural property is not being sold through auction houses and art dealers, but rather for direct sale on social media.

Regarding the impact of COVID-19 on the illicit trade of cultural property, experts from the ATHAR-Project (Antiquities Trafficking and Heritage Anthropology Research) have confirmed the increase in online sales of cultural goods:

*"One of the 120 Facebook groups that ATHAR monitors had around 300,000 members in March 2020, and in one month it gained 128,000 new members. It now has almost half a million" [June 2020, [source](#)].*

*"Facebook's "Groups" feature... has become a facilitator for the expansion of antiquities trafficking networks.*

*The Groups provide a seamless environment for digital interactions and cross-border networking between users interested in buying and selling antiquities, allowing them to communicate efficiently and discretely."*

- ATHAR-Project [[source](#)]

Facebook features, such as photo and video upload, live streaming, ephemeral stories, mechanisms for payment, and encrypted messages, provide tools that facilitate the platform's use on the black market.

Facebook has adopted a policy in June 2020 that seeks to prohibit the trade in all historic artefacts on its platforms, including Instagram [[source](#)].

## Responses within the Sector

The use of social media as a black market for stolen documentary heritage is also being noticed. In 2020, Qatar National Library and the IFLA PAC Centre hosted at the library have proposed the [Himaya Project](#) to combat the rising trafficking and smuggling of heritage items from libraries and archives in the MENA region.

Unlike other movable heritage objects, documentary heritage is less protected by national legislation and is easier to move illegally [[source](#)]. Social media has become a key arena in which to identify stolen items. Among its goals, the Himaya Project seeks to create a system of social media monitoring to track items and identify trafficking networks.

This is a challenge and opportunity, which requires a new approach to monitoring and tracking the sale of stolen documentary heritage. Above all, it is critical to establish a close relationship between experts who can carry out assessment and local law enforcement who must be the ones to enact legal processes.

## What Can Libraries Do?

- Ensure catalogues of rare materials and special collections are **thorough** and **up to date**.
- Follow the principles of Object ID when applicable. Try to keep records of **ownership markings** and **accession/deaccession practices**.
- Ensure you have **good images** of rare materials and special collections. This can involve digitisation, but simple reference photographs can also be useful.
- Keep reading rooms and places where the public encounters special collections **secure** and **staffed**
- Monitor social media in your region, especially **Facebook marketplace** and **groups**.
- Carry out **regular stock checks or audits** of your rare materials and special collections and keep records of the results.
- **Report** missing heritage objects presumed stolen to local law enforcement, including photographs and as much information on identifying objects as possible
- Report and search for stolen items using the [International League of Antiquarian Booksellers \(ILAB\) Stolen Books Database](#).
- Ensure any booksellers that you may work with follow due diligence practices ([such as the ILAB Code of Usages and Customs](#))

## Stay involved!

IFLA's [Rare Books and Special Collections Section](#), and [the Preservation and Conservation \(PAC\) Centre hosted at Qatar National Library](#) are carrying out projects to build capacity for combatting the illicit trafficking of documentary heritage.

Follow IFLA for updates and more information.

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