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Illicit Antiquities Research Centre

The Illicit Antiquities Research Centre (IARC) was established in May 1996, under the auspices of the McDonald Institute for Archaeological Research in Cambridge, England, and it commenced operations in October 1997. Its purpose is to monitor and report upon the damage caused to cultural heritage by the international trade in illicit antiquities (i.e. antiquities which have been stolen or clandestinely excavated and illegally exported). The enormous increase in the volume of this trade over the past twenty years has caused the large-scale plundering of archaeological sites and museums around the world. The IARC will raise public awareness of the problems caused by this trade and seek appropriate national and international legislation, codes of conduct and other conventions to place restraint upon it.

Culture Without Context is published twice yearly. The next issue will appear in spring 2001. Subscription details are available from:

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weaponry and everyday objects which they then abandon near the site of excavation. Archaeologist Professor **Ioan Glodariu**, says the looters have unearthed around **2000 kosons** (Dacian gold coins) and so many are now entering the market, **across Europe** from Budapest to Paris, that their sale price is constantly declining. He suggests that helicopters should scatter buckshot or other metal across sites to confuse metal detector readings. According to Romanian law archaeological material belongs to the State and, if caught, offenders are fined the equivalent of \$100.



Sources:

ABC News
Ananova
Antiques Trade Gazette
Archaeological Institute of America
Archaeology magazine
The Art Newspaper
ARTnews
Associated Press
Bergen Record
Bulletin of the Society for American Archaeology
CNET News.com
Cultural Heritage Watch

Dawn
The Evening Standard
The Guardian
The International Herald Tribune
The Journal of Museum Ethnography
Clare Lyons
Minerva
Museums Journal
Museum-security net
National Geographic
The New York Times
News International, Pakistan
PBS
Public Archaeology
Reuters
Seattle P-I.com Northwest
Society for African Archaeology
The Sunday Telegraph
The Sunday Times
The Times
US Customs Today
US State Department
Karen Vitelli
Wall Street Journal
Xinhua News Agency
We are always pleased to receive relevant press clippings and news items.

Site looting and the illicit trade of archaeological objects in Andalusia, Spain

SILVIA FERNÁNDEZ CACHO &
LEONARDO GARCÍA SANJUÁN

Legal framework

The existence of a well-established legal deterrent to the looting of archaeological sites in Spain dates back only to 1985, when the *Ley del Patrimonio Histórico Español* (Law of the Spanish Historical Heritage) was promulgated. This piece of legislation defines rather generally the plundering of an archaeological site as 'any action or omission putting at risk any of the

properties that integrate the Spanish Historical Heritage' (Art. 3). It does not make, therefore, any particular distinction between looting driven by an interest in illicit trade or damage caused to an archaeological site by any other activity (building developments etc.). An interesting contribution of this definition was the introduction, for the first time, of the notion that an *omission of action* may be potentially as damaging (and as illegal) as a direct action of looting (Querol & Martínez 1996, 247).

Since the transfer in the early 1980s of all responsibilities in cultural resource management from the Spanish central government to the regional authorities, the relevant law in Andalusia has been the *Ley de Patrimonio Histórico de Andalucía* (Law of the Historical Heritage of Andalusia), passed by the regional parliament in July 1991. Compared to the 1985 national law,

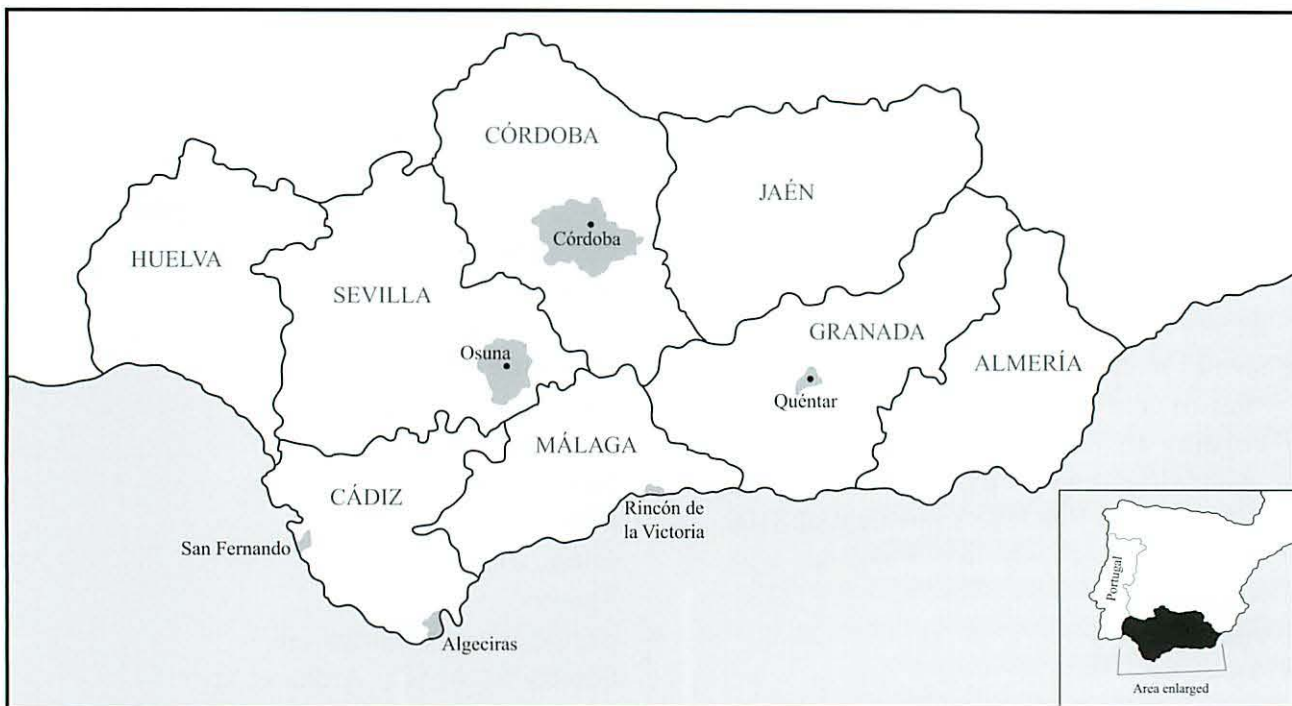


Figure 1. Place and site names mentioned in text.

Table 1. Main causes of damage to archaeological sites. (Source: IAPH.)

Total number of sites	12,725
Total number of undamaged sites	4441
<i>Number of sites damaged by:</i>	
Mining and quarrying	197
Herding	28
Deep-ploughing	860
Surface-ploughing	3034
Terracing	182
Hill-flattening	142
Dredging	24
Looting	1805
Forestry	212
Industrial use	14
Private building	492
Major public works	530
Irrigation agriculture	117
Military use	15
Visits	30
Other	527

this regional law does not broaden any further the definition of the notion of looting. It does, however, establish a list of infringements hierarchically ordered as ‘very serious, serious, or less serious’. Among the ‘very serious’ infractions are those causing irreversible damage to cultural properties recorded in the general catalogue of the Andalusian heritage. This general catalogue is proposed in Art. 111 as an essential tool for heritage protection. The rate of inclusion of the regional archaeological resources within this pro-

tected list is, however, quite slow, and currently it contains only 8.5 per cent of all archaeological sites documented in the region. Infringements such as ‘the utilisation of metal-detecting devices without authorisation’ (Art. 133) are regarded as ‘less serious’, involving fines of up to 10 million ptas. (approx. 60,000 Euros) ‘but in any case never less than the profit made by the offender as a result of his/her infraction’ (Art.177).

The specific problem of the ‘seriousness’ of the damage caused to the archaeological record by the offender had not been addressed as such by the 1985 Spanish Heritage law and, therefore, the Andalusian bill represented a major conceptual advance. The application of these legal precepts, however, remains problematical insofar as judges have consistently demanded evidence of the offenders being caught *in flagranti* (Rodríguez 2000, 39). Other problems with the implementation of the protective measures contemplated in the 1991 Andalusian Heritage law have derived from the inability and/or lack of interest of town councils to engage in a more pro-active role as agencies of heritage protection, as explicitly stated by the law. A good example is the city council of the small town of Quéntar (Granada: see Fig. 1), which in August 1997 complained bitterly in the media of the constant damage caused by looters (some locals among them) to the rich archaeological heritage

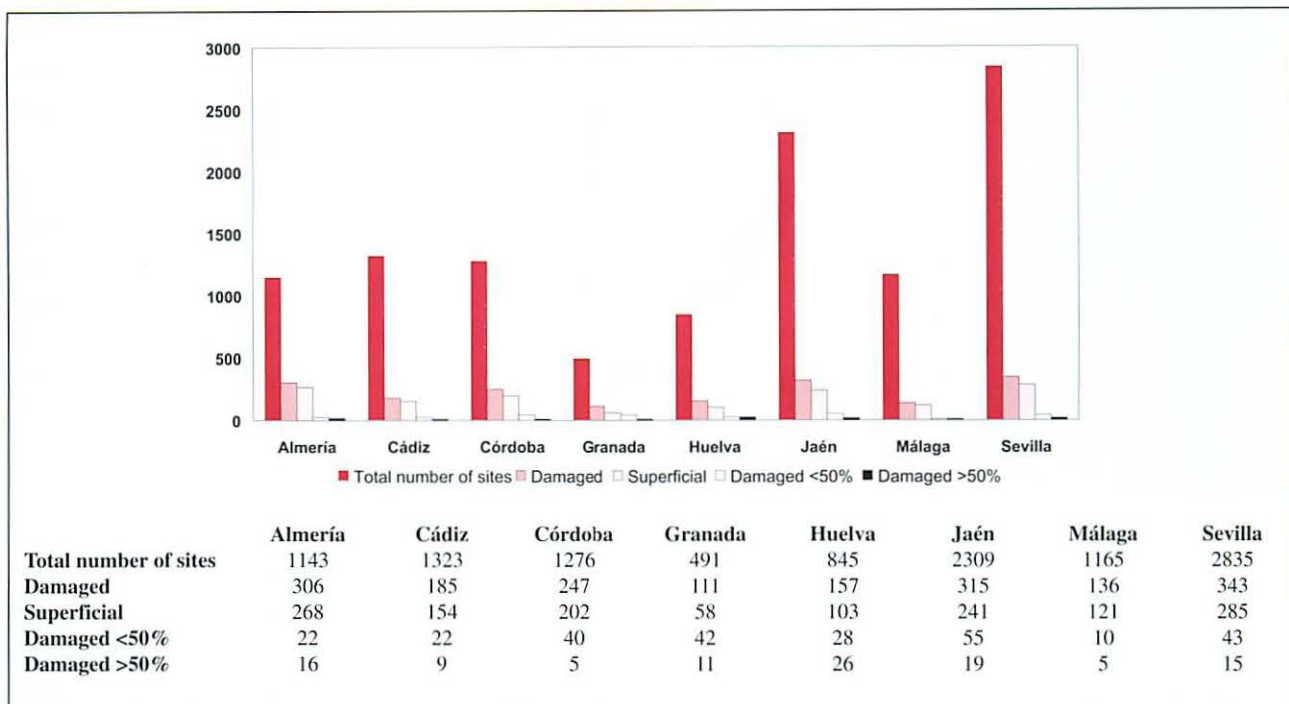


Figure 2. Looted sites by province. (Source: IAPH.)

of its municipality. This council lacked the resources (staff, funding) to prevent archaeological looting as was their wish (*Ideal* August 22nd 1997). In other, more unfortunate cases, city councils treating their archaeological heritage as a second- or third-rate priority within their development programmes have caused serious problems to the conservation of archaeological sites. This was for example the case of the municipality of Rincón de La Victoria (Málaga: Fig. 1), which in April 1995 went ahead with the construction of 600 new dwellings in the vicinity of Cueva del Tesoro, an archaeological site catalogued as *Bien de Interés Cultural* (a legal category that grants additional planning and administrative protection to sites of special value), thus causing a serious conflict with the regional cultural authorities (*El País* April 27th 1995).

Looting in numbers and cases

Data available from the *ARQUEOS* data base, developed and maintained by the Documentation Centre of the Andalusian Institute of the Historical Heritage (IAPH) (Fernández *et al.* 2000), suggest that at least 65.1 per cent of all archaeological sites documented in the region to date display some form of alteration derived from contemporary human activities (Table 1). This includes, of course, a wide range of industrial, agricultural and urban land uses. However, 14.2

per cent of sites (1805 sites) have been damaged by market-oriented plundering, which ranks no less than second among all causes of deterioration of the region's archaeological sites. Looting is only preceded by agricultural practices such as deep-ploughing and terracing, which affect 30.7 per cent of sites. The extent of the looting by province (Fig. 2) ranges from 11.1 per cent of all sites in Sevilla to 26.6 per cent in Granada. Nevertheless, since no systematic analysis of this problem has yet been carried out, these figures must be taken only as indicative — they probably underestimate the real overall effects of looting in the region.

According to available reports, damage caused by robbers and illegal amateur archaeologists seems mostly to affect the surface levels of sites. Only a small minority of sites are reported as *completely destroyed* or *destroyed beyond 50 per cent* of their deposits because of looting. This is, however, a rather small consolation considering that surface plundering — which causes irreversible damage to the upper layers of the stratigraphy — may affect up to almost a third of all sites in some provinces.

Some recent examples of site looting in Andalusia suggest that there is a wide range of situations and circumstances that may lead to an archaeological site being partly destroyed by individuals seeking some kind of profit.



Figure 3. Phoenician bronzes recovered after Operación Tartessos. (Source: SEPRONA.)

First, there is the more or less occasional looting caused by people not necessarily involved in organized crime. A rather bizarre case occurred in July 1998 in Algeciras (Cádiz: Fig. 1) when the skull of a child of late-medieval date that had been found in an urban rescue excavation was stolen, probably by a local aficionado, and never found again (*El País* July 11th 1988). In a more lucky instance (and which in fact could hardly be described as looting) in October 1999 the SEPRONA (Service for the Protection of Nature) branch of the Guardia Civil recovered two invaluable Phoenician statuettes that a Huelva fisherman had found off the coast thirty years ago. Unaware of their potential economic value, the man had kept both bronzes in his house as good-luck tokens (Fig. 3) (*Huelva Información* October 20th 1999; *Odiel Información* October 20th 1999; *El País* October 20th 1999; *ABC* October 20th 1999).

A much more serious case (which immediately reached the front page of most local and regional newspapers) took place in August 1997 when the police arrested three people who were sighted destroying the Los Nogales bridge, near Córdoba (*Diario De Córdoba* August 22nd, 23rd, 24th & 25th 1997; *El Correo De Andalucía* August 23rd & 24th 1997; *El País* August 22nd, 23rd & 24th 1997; *Diario* 16 August 24th 1997; *ABC* August 23rd & 24th 1997; *El Mundo* August 22nd & 23rd 1997). This bridge is of outstanding importance and was originally constructed as part of the communication network associated with Medina Azahara, the city built by the Cordovan Caliph Abd al-Rahman III in the tenth century

AD. Together with the city, the bridge enjoys the status of *Bien de Interés Cultural*. In this case, the only purpose of the looters was to supply themselves with cheap stone masonry for the refurbishment of their nearby house. Although they were arrested halfway through the job, the damage caused to the bridge affected 20 per cent of its structure. Paradoxically, the cost of the equivalent stone masonry on the market was estimated in 30,000 ptas (c. 180 Euros), way below the 14 million ptas (c. 84,000 Euros) subsequently budgeted for the restoration of the bridge.

Secondly, a more frequent plundering scenario derives from the systematic activities of individuals or groups of individuals who target archaeological sites as a more or less habitual way of earning a living, or simply to obtain additional income and benefits. In July 1994, a resident of the town of Osuna (Sevilla) was arrested and charged with heritage destruction and illicit trafficking of archaeological objects, of which more than 700 were found in his home, including coins, polished stone axes, bronze artefacts, pottery and architectural elements such as capitals (*El País* July 28th 1994). A similar much-publicized case occurred in February 1995, when a man from San Fernando (Cádiz) was found guilty of systematic and long-term plundering of underwater archaeological sites and charged with a fine of 17 million ptas (c. 102,000 Euros). The police had discovered more than 900 archaeological objects in his home, including amphorae, fragments of sculptures and remains of shipwrecks. The man has ever since claimed his innocence and even defined himself as a 'people's heritage curator' (*Diario De Cadiz* April 15th 2000). But his legal battle against the guilty verdict ended when, in a landmark resolution, his appeal to the Supreme Court was rejected on the grounds that 'his collection of archaeological objects largely exceeded what could be expected from a limited series of random finds resulting from a rightful interest in the Past . . .' (*El País* March 18th 1999).

Thirdly, a higher level of sophistication and organization in the looting of Andalusian archaeological sites has been recently revealed. In September 1999, and after a long investigation

called *Operación Trajano*, the SEPRONA uncovered an internet-based ring for the auctioning of antiquities looted from Andalusian archaeological sites (*El País* September 26th 1999; *El Mundo* September 25th & 26th 1999; *Sevilla Información* September 26th 1999; *ABC* September 26th 1999; *Huelva Información* September 26th 1999; *Odiel Información* September 26th 1999). These internet-based auctions had been held since 1997 from a web site based in San José (California, US) and involved clients from Australia, France, Germany, Canada and Portugal. Three people were arrested and charged in Sevilla and more than 9000 archaeological objects (including c. 5000 coins) were recovered (Figs. 4 & 5). The officers also found sophisticated computer equipment, detailed maps of archaeological sites and high-tech metal detectors. The revelations of this case caused great concern in the local and regional authorities responsible for cultural resource management for they have indeed exposed a new generation of more efficiently organized local looters (Rodríguez 2000). These new generation looters do not operate just locally, but aim their activities at profitable international markets. According to the Guardia Civil reports, up to 80 or 90 per cent of antiquities looted in Andalusia end up in the US, UK and Japan (*Diario de Cádiz* April 15th 2000).

The war against looting: information, education and suppression

The war against the looting of archaeological sites in Andalusia is being fought on three different but equally crucial fronts. The first one is the technical control of the archaeological resources, their location, status and characteristics. On this front, the administration has implemented over the last five years more efficient means to manage, process, update and evaluate the information pertaining to the regional inventory of archaeological sites. This has to some extent involved a more comprehensive archaeological coverage of the territory and, therefore, an enhanced control of the archaeological resources. But more impor-



Figure 4. Archaeological objects recovered after *Operación Trajano*. (Source: SEPRONA.)



Figure 5. Archaeological objects recovered after *Operación Trajano*. (Source: SEPRONA.)

tantly, it has involved the development of new systems to handle the information, with a move from a strictly paper-based system to a GIS-based one (Amores *et al.* 1999; 2000; Fernández *et al.* forthcoming), thus allowing better procedures of data transfer towards those public and private organizations seeking to develop building plans. However, large portions of the regional territory still remain poorly surveyed, and, in the face of rapidly changing patterns of land use, some mechanisms of protection do not seem to work efficiently in stopping the destruction of sites. Hence, further work is badly needed to grant a minimum level of control for all archaeological sites.

The second is, most crucially, educational in nature. Little or no success in the struggle against looting can be expected without public awareness of the finite and exhaustible nature of the archaeological resources as a common herit-

Table 2. *The battle against site looting. (Source: SEPRONA.)*

Province	Reports	Atestados (charges for serious offences)	Actas (charges for minor offences)	Total
Almería	0	0	0	0
Algeciras	4	0	0	4
Cádiz	24	0	2	26
Córdoba	86	0	0	86
Granada	2	3	0	5
Huelva	8	0	1	9
Jaén	74	0	0	0
Málaga	7	1	0	8
Sevilla	70	0	0	70
ANDALUSÍA	275	4	3	282
SPAIN	464	39	14	517

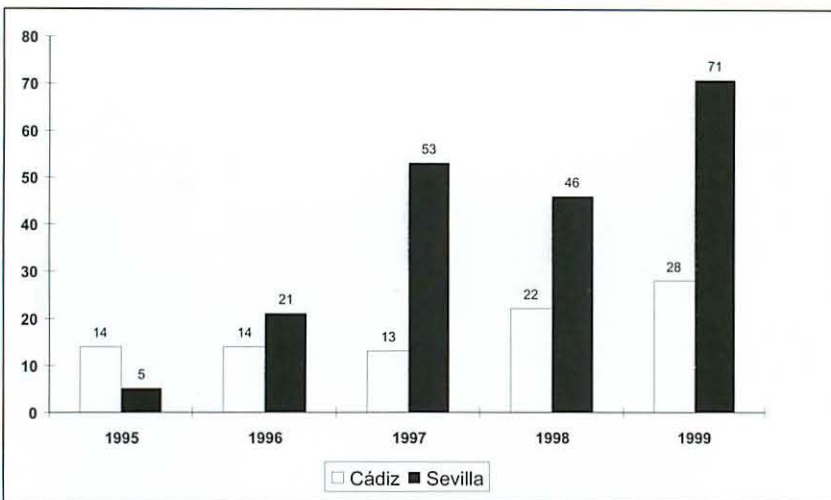


Figure 6. *Reports handled by the SEPRONA in the provinces of Cádiz and Sevilla.*

age and a source of economic development. The situation in Andalusia is evolving quickly, with increasing interest from the written media and the public and a much higher degree of involvement and participation of local authorities in the dissemination of the archaeological heritage. However, positive as this growth in public awareness may be, it still remains largely insufficient. This is particularly noticeable in the most influential communication medium, TV. In Andalusia, the regional public TV channel has opted for an unchallenged focus on an array of popular folkloric and religious traditions that, according to the official jargon, represent the principles of Andalusian cultural identity. Strangely, the archaeological and historical heritages have so far had no role to play in the construction of this cultural identity. Successful British productions such as *Time Team* or *Meet the Ancestors*, that have contributed so much to rise public awareness about the need to preserve the heritage legacy

in the United Kingdom, are simply unheard of among Spanish TV channels. In fact, as recent reviews have shown, archaeology as such is poorly represented (or not represented at all) on Spanish television at large (Ruiz 1996, 96).

The third front in the battle against looting is, obviously, in the hands of the security forces, namely the National Police and Guardia Civil. Since its creation in 1989 as a unit within the Guardia Civil, the SEPRONA has carried out an increasing number of operations against site looting and illicit trade of antiquities (VVAA 2000). Some spectacular cases, like the recovery of the stolen Medieval codex *Beato de Liébana* received extensive media coverage throughout Spain (Cortés 1997, 20–22). Interestingly, training and specialisation courses in cultural heritage matters have proven extremely successful and highly demanded among the Guardia Civil agents, and not only among those deployed in SEPRONA (*El País* December 16th 1996).

But more to the point of this paper, between 1990 and 1996 the number of operations carried out by SEPRONA at a national level has multiplied fivefold, showing increasing efficiency in the struggle against heritage-related crimes. In Andalusia, this can be exemplified in the province of Sevilla (Fig. 6) where the number of reports investigated has in four years multiplied almost tenfold. Apart from the operations mentioned above, data for 1999 show a total number of 275 reports being investigated in the region (although only 7 were criminal in nature), which represents a total 59.2 per cent of the entire country (Table 2). Interestingly, Andalusia covers about one third of Spanish territory, supporting about 21 per cent of the country's population, which evidently means there must be factors other than merely size or demography to account for that significantly higher proportion of looting reports.

Concluding remarks

In the southernmost Spanish region of Andalusia, site looting is a serious threat to the conservation of the archaeological heritage for future generations. Despite the lack of long-term and precise series of data, evidence does suggest that the incidence of looting in this region may be significantly higher than in the rest of Spain. More specific heritage legislation and growing awareness among local politicians are increasing the pressure on looters. At the same time, police forces and archaeologists are applying new procedures and techniques which contribute to a better protection against heritage-related crime. However, looters are utilizing more sophisticated technology too. Hence, public awareness in its widest sense becomes a factor of fundamental importance in the struggle against those who seek profit from the destruction of public property of historical or archaeological value. Unfortunately, at the present time the outcome of the battle on this front looks grim: little or no attempt has been made so far by the audiovisual media to present the archaeological heritage as a source of knowledge, education, enjoyment and economic development. Evidently, we archaeologists have a further responsibility to face.

Note

This report would not have been possible without the kind collaboration and provision of data from the Andalusian Institute of the Historical Heritage (IAPH) and the SEPRONA through the Guardia Civil Press Service.

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ABC

- August 23rd 1997: Robaban las piedras del puente califal de Córdoba para hacer mampostería
- August 24th 1997: Recuperadas todas las piezas del puente califal de Córdoba
- September 26th 1999: A. Fernández, Desarticulada una red dedicada al expolio y venta ilícita de restos arqueológicos
- October 29th, 1999: A. Manzano, Tartessos, ¿una colonia fenicia?

Diario 16

- August 24th 1997: Recuperadas todas las piezas del puente califal

Diario de Cádiz

- March 26th 2000: O. Lobato, Contra la piratería arqueológica
- April 15th 2000: J.M. Otero, Los expolios de Cádiz terminan en el extranjero

Diario de Córdoba

- August 22nd 1997: A. Rodríguez, La policía detiene a tres individuos mientras expoliaban el puente califal de Los Nogales
- August 23rd 1997: A. Rodríguez, Tres detenidos en el puente de Los Nogales pensaban utilizar las dovelas para tapias de chalés
- August 23rd 1997: D. Galadi & D. Otero, Los mil años del puente de Los Nogales
- August 24th 1997: A. Rodríguez, Los presuntos expoliadores de Los Nogales, en libertad bajo fianza
- August 24th 1997: Editorial, Destrucción y Expolio
- August 24th 1997: A. Rodríguez, El puente de Los Nogales y la barbarie cordobesa
- August 25th 1997: A. Vallejo, Un cruel atentado contra el Patrimonio Arqueológico

El Correo de Andalucía

August 23rd 1997: R. Verdú, Las piedras del puente de Córdoba expoliado se usaban para hacer chalés
August 24th 1997: El PP culpa a la consejera Calvo del expolio del puente califal, cuyas piezas han sido recuperadas

El Mundo

August 22nd 1997: La Junta declara de emergencia las obras en el puente califal dañado
August 22nd 1997: Belmonte, La amenaza salvaje
August 23rd 1997: Los saqueadores del puente califal lo usaban como mampostería de chalés
September 25th 1999: Desarticulan una red que expoliaba restos arqueológicos
September 26th 1999: I. Salvador, Patrimonio andaluz expoliado, a subasta en Internet

El País

July 28th 1994: La policía interviene en la casa de un anciano en Osuna 700 piezas de un gran valor arqueológico
April 27th 1995: IU y los ecologistas critican el intento de levantar 600 casas en zona arqueológica
August 10th 1995: Jeremías Clemente, La policía detiene a cinco sospechosos de una red de robos arqueológicos
December 16th 1996: T. Constenla, Todo por el arte
August 22nd 1997: Cultura cree que reparar el puente califal de Córdoba costará 14 millones
August 23rd 1997: Detenidos tres individuos por el destrozo del puente califal
August 24th 1997: La policía recupera todas las piezas robadas del puente califal de Córdoba
July 11th 1998: Robado un cráneo del siglo XIV
March 18th 1999: El TSJA ratifica una multa de 17 millones por coger restos arqueológicos

September 26th 1999: Santiago Fuertes, Desarticulada una red que vendía por Internet restos arqueológicos de yacimientos andaluces
October 20th, 1999: F. Arnaiz, El pescador de Historia

Huelva Información

September 26th 1999: Las piezas antiguas incautadas por la Guardia Civil se guardaban en Almonte
October 20th 1999: E. Ponce, La Guardia Civil recupera en Punta dos estatuillas de la Época de los tartesos.

Ideal

August 22nd 1997: R. Urrutia, El Ayuntamiento alerta del riesgo de expolio en el yacimiento arqueológico de El Sotillo

Odiel Información

September 26th 1999: La Guardia Civil recupera 9.000 piezas del expolio de yacimientos
October 20th 1999: M. Ramos, El Museo cuenta con dos nuevos dioses tartésicos que encontró un pescador.

Sevilla Información

September 26th 1999: S. Fernández Madueño, El Museo Arqueológico acogerá 4.000 piezas incautadas por la Guardia Civil

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TV review: *On the Trail of the Tomb Robbers* (Channel 10, Sweden)

JENNY DOOLE

Once in a while a television programme can make such an impression that things actually change. We saw this in the world of illicit antiquities when Peter Watson's 1997 exposé of dodgy dealing at Sotheby's led to a multimillion pound review of the auction house's methods, and to the end of their sales of classical antiquities in London. Now we have seen it again, in Sweden, because in February Swedish television's Channel 10 screened an equally powerful investigation entitled *On the Trail of the Tomb Robbers*. It made an

impact on the general public, dealers and museums, and even the government. Because of the programme, codes of conduct have been drawn up, policies changed, international investigations launched and the Swedish government has begun the process of preparing legislation which would lead to their signing the 1970 UNESCO convention.

The hour-long broadcast was based on the work of graduate student Staffan Lundén of the University of Gothenburg, and produced by Johan Brånstad of Swedish Television. It aired as part of a series, *Striptease*, which generally attracts an audience of 10 per cent of the Swedish population. The broadcast also generated massive coverage elsewhere — particularly in news media where it featured hourly on the radio, and was covered on the main evening television bulletin, as well as in lead articles in major newspapers.