

Illicit Trafficking of Cultural Properties in Ethiopia: Prevention and Restitution Mechanisms Hewan Tesfaye, St. Mary's University

Abstract

Illicit trafficking of cultural properties is a growing business worldwide. Import and Export of cultural heritages through illicitly trafficking is a multibillion dollar business which ranks forth next to money laundering, human trafficking and drug trafficking. It affects all countries, especially those who are rich in cultural properties but weak in terms of their protection systems. Ethiopia is considered as cradle of man-kind and a country of ageold history. However, due to many external wars and internal conflicts, the country lost many cultural properties. Hence, this research tries to identify some preventive mechanisms of illicit trafficking of cultural properties in the contemporary era. Moreover it also suggests some restitution mechanisms for those illicitly trafficked properties found abroad. In addition, the study reveals the types or categories of materials/ properties which are exposed to illicit trafficking and factors which lead peoples to involve for such a crime. Generally the study attempts to answer the questions mentioned above and others.

Key words: *cultural properties, illicit trafficking, restitution, cultural heritage, history.*

1. Introduction

1.1. Background of the Study

Trade in cultural properties is a major and growing international business. There is licit trade that reflects a positive recognition and appreciation of culture. Unfortunately, beyond the licit trade, an international illicit trafficking occurs worldwide. The practice of theft, looting, pillaging and illicit import and export of cultural properties are well known. These affect museums, public and private collections, religious collections, cultural institutions and archeological sites everywhere. Depending on means and ambitions, criminals may employ different mechanisms to steal objects and then directly or indirectly export them to selected countries where they can find high prices from willing buyers (UNESCO, 2015).

Illicit traffic in cultural goods is distinct from other types of trafficking because of the existence of a legal market of cultural objects. Unlike other illegal goods being trafficked, the definition given to illicit trafficking in cultural goods does not depend on the nature of the good being trafficked, rather on the nature of the ownership of the cultural objects. The legality of the ownership thus marks the boundary between what are sometimes called “licit” and “illicit” cultural objects (Jenny, 2000).

Illicit Trafficking of cultural property is any movement, transport, import, export, keeping or trading in cultural goods carried out in violation of the rules governing ownership or circulation of these objects (Young, 2007). In general, the circulation of cultural goods facilitates dialogue among different cultures, playing a fundamental role in the field of international diplomacy. However, in recent years illicit trade of artistic and cultural properties has increased dramatically worldwide (Georgia, 2010).

Ethiopia is considered as the cradle of mankind, a crossroad of civilization and a museum of nations and nationalities (Ahmed, 1991). Ethiopia is a country which possessed great number of tangible and intangible heritages. Because of its location and age-old history, it contributed a lot to the creation and preservation of innumerable cultural properties. Hence

illicit trafficking of cultural properties mainly affects countries like Ethiopia that possess a great number of cultural heritages (Tesfaye, 2004).

Though Ethiopia was not colonized, it has faced several external aggressions and numerous internal wars. Due to these external wars and internal conflicts, a lot of cultural heritages have been lost and damaged (Ahmed, 1991). A major damage to the Ethiopian cultural heritage was made during the fascist occupation (1935-1941). At this period, the leader of the fascist government of Italy, Mussolini, sent his soldiers to revenge an earlier Italian defeat at the battle of Adwa in 1896. The goal of Mussolini was not only to defeat Ethiopia by arms; he also ordered his soldiers to dismantle obelisks of Axum as well as the statue of the Lion of Judah in Addis Ababa (ibid).

In addition to this, several cultural properties have been looted, over the years, by individuals and institutions from within and outside the country. Therefore, this research will show contemporary preventive mechanisms of heritage loss as well as the restitution processes of those heritages which are illicitly trafficked.

1.2. Statement of the Problem

Certain categories of cultural heritages are particularly vulnerable to dispersion and thereby loss by illegal activities. This belief or idea of loss should be understood as the disappearance of the heritage to the detriment of the community. Therefore the loss of cultural heritage does not simply mean the destruction of a work but also its appropriation or wrongful possession as the result of theft (Lisanework, 2012).

Ethiopian cultural properties, specifically the tangible and movable ones, are exposed to illicit trafficking (ibid). Despite the presence of vast heritages in the country a considerable number of them are now found out of the country in museums of Europe and America and in the hands of individuals (ARCCCH, 2007).

Yet, previous research lacks discussion on which particular types of tangible and movable heritages are vulnerable. Besides that the researches do not indicate the current situation and efforts of restitution. Hence, it needs more research to study in detail and try to recommend both prevention and restitution mechanisms in accordance with the legal framework of the country.

1.3. Research Questions

This research tries to address the following research questions and endeavors to come up with their findings. These are:

1. What types of cultural properties are exposed to illicit trafficking?
2. What factors contribute to illicit trafficking of cultural heritages?
3. What are the preventive practices of illicit trafficking?
4. How can restitution be effected with regard to illicitly trafficked cultural properties?

1.4. Objectives of the Study

1.4.1. General Objective

The general objective of this research is identifying different prevention and restitution mechanisms of cultural properties. In addition it tries to point out different successful stories of restitution.

1.4.2. Specific Objectives

Under the above mentioned general objective, the study attempts to:

- identify what type of cultural properties are exposed to illicit trafficking;
- identify the factors contributing to illicit trafficking of cultural heritages;
- point out preventing practices of illicit trafficking; and
- examine the efforts of restitution of illicitly trafficked cultural properties.

1.5. Significance of the Study

The primary beneficiary of this study will be the Ministry of Culture and Tourism of the Federal Democratic Republic of Ethiopia and the Authority for Research and Conservation of Cultural Heritage to whom the findings will be forwarded. The recommendations would help to identify the strong and weak sides of the prevention and restitution mechanisms of cultural properties. Hence it would help to make the necessary adjustments accordingly. In addition to the Ministry of Culture and Tourism and the Authority for Research and Conservation of Cultural Heritage, this research will benefit policy makers and legislative bodies by showing how huge this problem is. The other importance is, it will serve as a benchmark and reference for future investigations on illicit trafficking of cultural properties. Finally, the society at large will benefit from the enquiry in the long-run as the prevention and restitution of cultural properties preserves the history and identity of the nation. This, in turn, will contribute to the promotion of tourism thereby enhancing the socio-economic development of the country.

1.6. Scope of the Study

Illicit trafficking of cultural properties is an international problem which affects all countries in the world. However, this research will focus only on Ethiopia. Despite there being a number of cultural properties that are exposed to illicit trafficking, the researcher will examine only a limited number of items. These include crosses, crowns, parchment books, drawings and paintings which are entirely drawn by hand because of their vulnerability and due to the limitation of time and finance.

1.7. Definition of Terms

Cultural heritage:- means anything tangible and intangible, which is the product of creativity and labor of man in which the prehistory and history times, that describes and witnesses to the evolution of nature and which has a major value in its scientific, historical, cultural, artistic and handicraft content(Proclamation 209/2000).

Restitution: - the return or restoration of things to the original owner.

1.8. Research Design and Methodology

1.8.1. Research Design

To achieve the objectives of the study, the researcher used descriptive research method. This research method helps in describing and determining the subject under study.

1.8.2. Population and Sampling Technique

The populations of the study were tourism and heritage management professionals. Samples were taken and analyzed to describe the overall pictures of illicit trafficking of cultural

properties; prevention and restitution mechanisms. For this reason the researcher prepared 12 questions for 60 informants and conducted 7 interviews.

Data were collected on the basis of non-probability purposive sampling technique. Purposive sampling in general is employed when the researcher needs to focus on a limited number of informants who are believed to have adequate knowledge of the subject matter so that their in-depth information will yield optimal insight into the issue which in turn would help to better understand and come up with highly detailed description.

1.8.3. Data Type and Source

The research used both primary and secondary data. The primary data included information from questionnaires and interview. The secondary data incorporated all type of documents generated by the Authority for Research and Conservation of Cultural Heritage (ARCCH) and external sources like proclamations and books.

2. Methods of Data Collection

2.1. Instrument

Data collection instruments of the study were questionnaires and interviews. Questionnaires were developed for tourism professionals, heritage management and professional lawyers. Interviews were conducted with senior experts of heritage conservation employees at the Authority for Research and Conservation of Cultural Heritages (ARCCH) and supervisors at the Ethiopian Revenues Customs Authority (ERCA).

2.2. Data Analysis Methods

The data gathered from different sources were summarized, analyzed and interpreted by using mixed approaches through triangulation of data by complementing each other. The quantitative data were processed and analyzed through percentages, chart and tables; whereas the qualitative data were analyzed through descriptive narration.

2.3. Limitation of the Study

The researcher faced the following limitations when doing this research.

- Some of the questionnaires were not fully returned. The researcher prepared 70 questionnaires but only 60 of them were returned (with a return rate of 86%);
- Questionnaires were not returned on time; and
- On the part of the interviewees, there was unwillingness to give interviews.

3. Data Analysis and Interpretation

As indicated elsewhere, the study tries to investigate illicit trafficking of cultural properties with a focus on prevention and restitution mechanisms. Thus the data are systematically presented, analyzed and interpreted.

3.1. Characteristics of the Study Population

For this research 60 questionnaires were prepared. For heritage management and tourism professionals consisting 12 questions and interview was conducted with 7 professionals consisting 11 questions.

Table 3.1 General Characteristics of the Respondents, source: Questionnaire

№	Item	Personal information	Number of respondents	Percentage (%)
1	Sex	Male	33	55
		Female	27	45
		Total	60	100
2	Age distribution	18 -30	51	85
		31 – 50	9	15
		>50	-	-
		Total	60	100
3	Educational background	Diploma	3	5
		Degree	48	80
		Masters and above	9	15
		Total	60	100

As indicated in table 3.1, 55% of respondents were male and the rest (45%) were female. The age profile of the respondents indicates that the majority ranged from 18-30. Thus most of the respondents were young. In terms of education, the majority (80%) of the respondents was degree bachelor holders and the rest (15%) were holders of masters and above, only 5% of them were diploma holders. This implies that most of the respondents were well educated to give information regarding the issue. Hence, the information obtained from respondents was relevant and accurate.

Table 3.2 Types and Factors for Illicit Trafficking of Cultural Properties Source: Questionnaire

№	Item	Number of respondents	Percentage (%)
1	Most vulnerable types of cultural heritages		
	Religious	51	85
	Archaeological findings	9	15
	Total	60	100
2	Factors which lead peoples to involve in illicit trafficking		
	Poverty	6	10
	Lack of awareness	36	60
	Both	12	20
	Other	6	10
	Total	60	100

As the data collected indicates, the most vulnerable/ exposed cultural heritages are religious cultural properties. The majority (85%) of the respondents agreed about this fact, while the rest (15%) of the respondents said the archaeological sites are more vulnerable. Therefore, it is possible to say that most of illicitly trafficked cultural properties are religious. As can be seen in table 3.2 number 2, most people or 60% are involved in illicit trafficking due to lack

of awareness, 10% because of poverty; and 6%, due to increasing price of cultural properties in the black market. However, ARCCCH, (2001) stated that the responsible factors are consideration of heritage as the symbol of fame or dignity, unethical behavior of western museums, and lack of awareness by heritage collectors.

Table 3.3 Remedial Measures, Source Questionnaire

N ^o	Item	Number of respondents	Percentage (%)
1	Remedial measures		
	Improvement in security	18	30
	Tightening the law	6	10
	Having regular inventory	21	35
	Awareness creation/raising activities	9	15
	All	6	10
	Total	60	100

As shown in table 3.3, more than a third of the respondents (35%) said that having regular inventory on cultural heritages is the best remedy, while 30% agreed that improvement of security must come first. The remaining 15% agreed up on awareness creation to be the best remedy. At last, 10% of respondents said the government has to tighten the law regarding illicit traffickers of cultural heritages. This implies that having regular inventory of heritages, and improvement in security will be the best remedial which prevent illicit trafficking of cultural properties.

Table 3.4 Responsible Bodies and Restitutions

N ^o	Item	N ^o of respondents	Percentage %
1	Responsible body's to restitution		
	Government	33	55
	Religious institutions	18	30
	Celebrities	-	-
	Any other	9	15
	Total	60	100
2	Restitution previously made		
	Yes	48	80
	No	12	20
	Total	60	100

As can be seen in the above table 55% of the respondents said that government is responsible to make restitution, while 30% of them respond due to the fact that most properties which are illicitly trafficked are religious, and thus, religious institutions must be responsible.

Therefore, government is responsible to make repatriation of illicitly trafficked cultural properties due to its authority and international acceptance. In Ethiopia, the responsibility of repatriating was given to ARCCCH, which is once again a government office.

According to the above table 80% of the informants remember a restitution which is made in Ethiopian history, whereas the remaining 20% said that they do not remember any. This shows that most people know about restitution of cultural heritages during the last decades. From those 80% most of them mentioned Axum Obelisk, Afro Aygeba Crosse, parchment manuscripts, coins, jewelers of kings and queens are listed.

Table 3.5: Previously Restituted Heritages Source Questionnaire and Interview

No	Item	No respondents	Percentage %
1	If yes for the above mention some of them		
	Afro Aygeba cross	6	12.5
	Axum obelisk	7	14.5
	Coins	2	4.1
	Hand crosses	5	10.4
	Parchment manuscripts	10	20.8
	Religious books	-	-
	Jewelers of kings and queens	2	4.1
	Total	48	80

Informants further added that, the statue of the Lion of Juda standing in front of rail station in Addis Ababa, Throne of Emperor HaileSELLASSIE I written

“ሞላ አንበሳ፣ ዘእምነደ ይሁዳ፣ ቀዳማዊ፣ ኃይለ ሥላሴ፣ ንጉሠ ነገሥት፣ ዘአትዮጵያ፣ which was taken to Italy during World War II and returned to Ethiopia in 1972 E.C were returned.

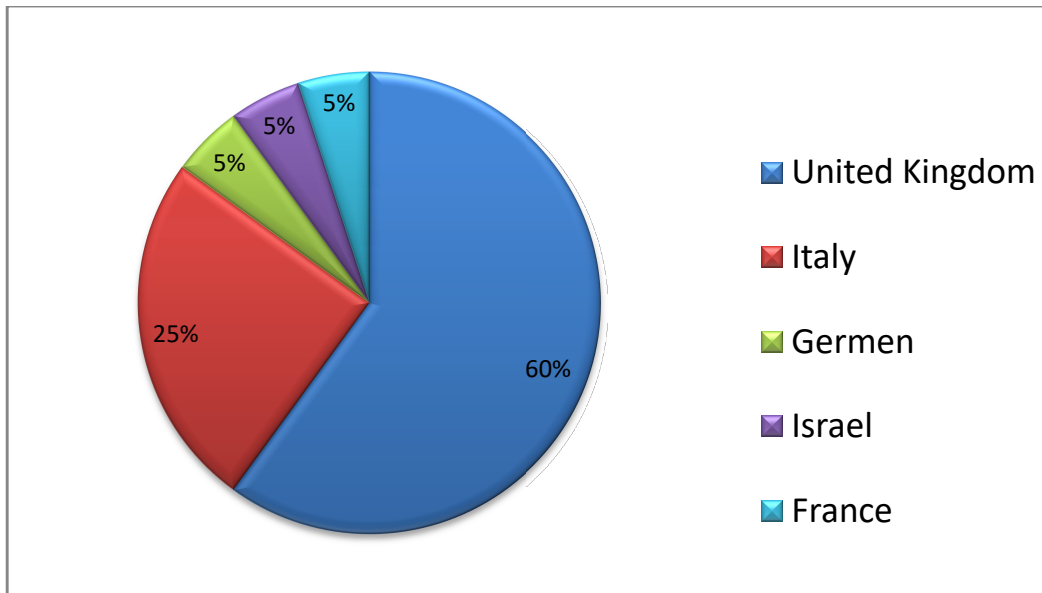


Chart 3.1: Countries where Ethiopian heritages are found:

Source: Survey results from the questionnaire and interviews

According to the respondents, most of Ethiopian cultural properties existed in the United Kingdom as shown in the pie chart above. Among the 60 informants, 36 of them put UK first, then Italy by 15 respondents, the rest three countries— Germany, Israel and France selected by 9 respondents, respectively. Therefore, it is possible to say that most Ethiopian cultural properties are in Europe specifically in the United Kingdom. This shows that different wars and conflicts which took place in the 19th century played a significant role for such trafficking of cultural properties. According to Axum magazine, 2008, France, United Kingdom, Italy, Germany and Vatican City are the top five countries which held Ethiopian cultural heritages.

Several studies suggested that the greatest looting occurred during the battle of Mekdela in 1868, when Emperor Tewodros fought against the British military expedition led by General Robert Napier. The latter brought the museum experts to collect historic documents and moveable cultural heritages from the library of Emperor Tewodros to be taken to the British museum (Ahmed, 1991). Among the pillaged treasures were inscriptions, crown of Emperor Tewodros, and historical books including the glory of kings which was written by the hand of Emperor Tewodros (Lisanework, 2012).

According to respondents the second country which held Ethiopian cultural heritage is Italy. Hence, another major damaging experience was made during the period of the fascist occupation of Ethiopia: 1935-1941. At this period, the leader of fascist government of Italy — Mussolini, sent his soldiers to revenge the earlier Italian defeat at the battle of Adwa during 1896 (Ahmed, 1991).

The goal of Mussolini was not only to defeat Ethiopia. He also he ordered his soldiers to dismantle the obelisk of Axum as well as the statue of the Line of Judah. Therefore the war was not only armed conflict; it was cultural war as well. The major focus of the Italian Fascist government was to damage the cultural symbols of the Ethiopian society (ibid).

Therefore, the respondents' responses and the literatures stated that the United Kingdom and Italy illicitly trafficked most of Ethiopian cultural properties during the 19th to 20th centuries.

4. Conclusions and Recommendations

This chapter deals with the summary and conclusion of the findings. Moreover, recommendations are made on the basis of the findings.

4.1. Conclusions

The study attempted to address the major research questions outlined in the first chapter. As a result, the major findings of the study are therefore summarized as follows.

The general objective of the research was to identifying different prevention and restitution mechanisms of cultural properties from illicit trafficking.

There were 60 questionnaires and 7 interviews prepared for tourism and heritage management professionals. The data analysis was made based on 60 returned questionnaires and 7 interviews.

Illicit trafficking of cultural property is the movement, transport, import, export, keeping or commerce in cultural goods carried out in violation of the rules governing ownership or circulation of their statues (Young, 2007).

The general objective of this research was identifying different prevention and restitution mechanisms of cultural properties. In addition it tried to point out different successful stories of restitution.

The cultural properties of many countries are being destroyed at an alarming rate by illicit trade. Ethiopia may never get rid of this crime entirely. However, it can be reduced if enough work is done at national and international levels.

Unfortunately, the situation of illicit trafficking of cultural properties cannot be enumerated due to the absence of inventory and lack of catalogues in museums. Ethiopia has signed and ratified almost all proclamations of UNESCO to discourage and prohibit illicit trade. However, the government is not implementing these instruments.

Generally fighting against illicit trafficking of cultural properties should not be left only to the Authority for Research Conservation and Cultural Heritage; rather it needs a cooperation of all responsible institutions like Ministry of Foreign Affairs and Ministry of Justice.

Based on the above findings the following conclusions are drawn from the respondent.

- Most of cultural properties which are exposed to illicit trafficking are religious and archaeological findings.
- Poverty, lack of awareness and increased price of cultural properties in the black market are the major factors which lead peoples to involve in illicit trafficking of cultural properties.
- Restitution is made though efforts of different responsible bodies; the government and citizens have played roles in getting some of the cultural properties back home. Religious institutions and celebrities can make additional efforts for restitution because of their acceptance.
- The history of restitution is not new for Ethiopia. Many cultural properties have been repatriated within the last decades, including the obelisk of Axum, Afro Aygeba Cross, the Lion of Judah monument, parchment books, coins, crowns, jewelers of kings and queens, just to mention a few.
- Most of Ethiopian cultural heritages are found in Europe especially in United Kingdom, Italy, France, Germany, Israel, Vatican City and USA taken during 19th and 20th centuries in which the country was in conflict and war with internal and external forces.

4.3. Recommendations

Based on the above mentioned conclusion the following major recommendations have been forwarded.

- The government should establish a specialized police unit responsible for protecting cultural goods and pursuing the theft and illicit trafficking.
- The Authority for Research and Conservation of Cultural Heritages (ARCCH) should assign employees at the Airport and at border-crossings to identify and rescue cultural heritages from traffickers.
- Ethiopia should ensure the implementation of proclamations that it had already signed.
- The ARCCH must give regular training for Airport and Customs employees to identify and prevent illicit export of cultural properties.

- The ARCCCH should carry out awareness creation\ raising activities through media, exhibitions, seminars, and symposiums to improve the level of awareness among the citizens of the country.
- Accurate and complete documentation should be carried out by the Authority.
- Restitutions must be carried out through diplomacy and bilateral agreements among states and through purchase of those properties which are held by private owners.
- Religious institutions, museums and archeological places should improve their security system. Besides, using technological innovations like Closed Circuit Television (CCTV) and alarms is necessary.
- The government has to publicize theft/ stolen properties.
- Creating job opportunities for unemployed people and creating/raising awareness for the general public especially for police officers and custom workers is mandatory.

Reference

Axum Megazine (2008).

Aragie, T. (2010). World Heritage Properties in Africa :case of Ethiopia. Addis Ababa.

Elzabeth, Y. L. (2007). The Framework of Resolution for Cultural Properties .

Illicit Trafficking of Cultural Heritages in the World. INTERPOL.

Jaina, D. (2013). Trends in Organized Crime .

Jennifer, T. Antiquities Trafficking and Terrorism:Where Cultural Wealth, Political Violence and Criminal Networks Intersect .

Kirse . (2007/15). Addis Ababa: Authority for Research and Conservation of Cultural Heritages.

Legal and Practical Measures Against Illicit Trafficking in Cultural Properties. (2006). UNESCO.

Lisanework, A. (2012). Illicit Trafficking of Cultural Properties in Addis Ababa. Addis Ababa.

Nail Brodle, Jenny Dool and Peter Watson. (2000). Stealing History, The Illicit Trade in Cultural Material . London: McDonald Institute for Archeological Research.

UNESCO handbook. (2015).

UNESCO. (n.d.). Retrieved April 21, 2016, from <http://www.UNESCO.org/culture>
Witness to History. (1970). UNESCO.

Zekaria, A. (1991/6). Illicit Trafficking: An Ugly Transaction. Addis Ababa.