

Law Enforcement Policies in Transit Countries for Syrian Antiquities: The Turkish Case

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Executive Summary

Effective fight against the trafficking of antiquities requires policies made in source, transit, and target countries. The current level of trafficking of the antiquities cases point to weakness of policies implemented in these countries. More specifically, law enforcement lacks to fight against antiquities traffickers networked globally.

The Syrian case is the illustration of how countries in three categories are incapable of the fight against antiquities traffickers. Recently plundered antiquities either by terrorist organizations or by criminal groups easily travel to target markets through transit countries. It would be optimistic to expect a serious fight in Syria, as a source country, under heavy war conditions. However, transit and target countries in Syrian antiquities are capable of making effective policies against the trafficking of antiquities.

Turkey is a transit country for many kinds of smuggling and trafficking, including antiquities, which is skyrocketed as an anticipated consequence of Syrian conflict. However, law enforcement in Turkey underperforms in the fight against antiquities traffickers.

This policy brief explains how Turkey is used as a transit country in the trafficking of Syrian antiquities and what law enforcement needs to do for an effective fight.

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Introduction

Smuggling and trafficking cases categorize countries by source, transit, and target countries. Many countries fall into one or more than one of these categories. Turkey is positioned in three categories for several kinds of trafficking and smuggling cases. One of them is the trafficking of antiquities.

Turkey and Syria are both home to rich cultural and historical heritage stemming from their location in the Middle East. Whereas this heritage has been threatened through illegal excavations or robbing in Turkey, it has increasingly been plundered in Syria by terrorist groups as a consequence of ongoing civil war. Turkey has occupied a transit position in the transferring of these antiquities to Western countries.

Previous involvement in the trafficking of antiquities in Turkey has resulted in the accumulation of knowledge, experiences, and networks by criminal groups. At present, this experience is being leveraged in the transfer of Syrian antiquities looted predominantly by a terrorist organization known as the Islamic State of Iraq and Syria (ISIS). Local smugglers, criminal groups, terrorists, and facilitators such as collectors and dealers have become involved in the organized trafficking of Turkish and Syrian antiquities. This study analyzes the problem of antiquities trafficking in Syria and recommends what actions law enforcement needs to take in transit countries in the example of Turkey.

Problem

Turkey is a source, transit, and destination country for many kinds of smuggling and trafficking, including antiquities. Its geographic location, endemic corruption, and judicial vacuums as well as the ongoing conflicts in its neighboring countries and the presence of terrorist organizations create a favorable environment for criminals and terrorists to operate in Turkey.¹ Currently, Turkey is facing significant levels of arms smuggling, drug trafficking, human smuggling and trafficking, oil and cigarette smuggling and antiquities trafficking, particularly on its borders with Iran, Iraq, and Syria.²

Antiquities trafficking in Turkey has undergone three distinct periods of development. The first period covers the cases recorded in the 1990s, most of which included robberies of antiquities from museums.³ There was a steady increase in the number of stolen antiquities in the late 1990s.⁴ During these years, the most-targeted destination countries for Turkish art traffickers were the US,⁵ Germany, Russia, Austria, Denmark, and the UK.⁶ In addition, the trafficking of antiquities was a nationwide phenomenon in the late 1990s, since the police recorded seizures in 55 out of Turkey's 81 provinces.⁷ Analyses of these cases indicate that antiquities traffickers consisted of mostly robbers and illegal excavators operating individually

and locally as well as dealers in metropolitan cities connected to international traffickers who facilitated the sale of these antiquities abroad, mostly to the US.⁸

The second and third periods points to the transit characteristic of Turkey. In the second period, Turkey was exposed to massive smuggling of antiquities during US intervention in Iraq in 2003,⁹ which brought about plundering of antiquities in Iraq.¹⁰ A considerable number of antiquities was looted by criminal groups in Iraq and marketed in Western countries.¹¹

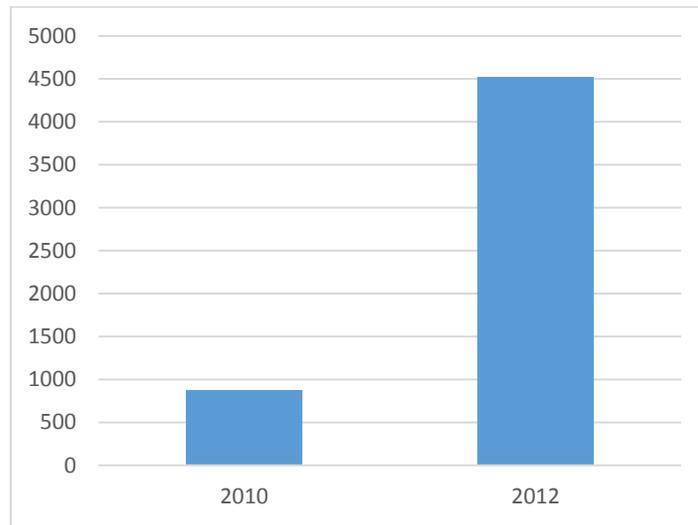
Smuggling and trafficking have been a serious issue on the Turkish and Iraqi border for decades. This area was used by traffickers of antiquities in the 1990s¹² and 2000s. Turkish statistics from the early 2000s affirm that Turkey was used as an alternative transit country for the transfer of Iraqi antiquities. While the number of antiquities trafficking cases was 252 in 2003, the number rose to 525 in 2004.¹³ There was also a spike in the number of antiquities seized by law enforcement during this period, which rose from 3,255 in 2003 to 6,283 in 2004.¹⁴ This increase continued in the years after 2004.¹⁵

The third period of antiquities trafficking point to the cases linked to Syria. After the conflict, mainly drug and cigarette traffickers have begun to use the Syrian and Turkish route. Turkish human smugglers have played a critical role in transporting Syrian refugees to Western countries.¹⁶ In addition, Syrian nationals seem to make up a large proportion of the foreign individuals involved in certain types of smuggling and trafficking. For example, 86% of foreign cannabis traffickers and 80% of foreign Captagon traffickers arrested in Turkey in 2014 were Syrians.¹⁷ They have also committed fraud and counterfeiting.¹⁸ The conflict in Syria has also impacted Turkey in terms of the trafficking of antiquities that have been plundered by criminals and ISIS terrorists.¹⁹

ISIS generates revenue from its territory of control. One of the sources of revenue is the plundering of antiquities. ISIS controlled 5000 archaeological sites as of late 2015. Documents found in one of the raids on an ISIS cell revealed that ISIS is well organized in the trafficking of antiquities through the establishment of administrative and logistical resources that allow it to derive revenue from the antiquities. According to the documents, ISIS has set up sub-units responsible for marketing; excavation exploration, and identification of new sites; research and investigation of known sites; and administration.²⁰ At this point, Turkey generally serves as a gateway for connecting the antiquities to international markets.²¹ The reports of the Turkish Anti-Smuggling and Organized Crime Department (KOM- Kacakcilik ve Organize Suclarla Mucadele Daire Baskanligi) have confirmed the impacts of the Syrian conflict, underlining the looting of Syrian cultural and historical heritage, traffickers' marketing of that heritage in Turkey, and the transfer of antiquities to Western countries via Turkey.²²

A comparison of antiquities seizures, as shown in Figure 1, in two Turkish cities neighboring Syria, Gaziantep and Hatay, illustrates the increase in trafficking. Whereas the number of antiquities seized was 878 combined for both cities in 2010, the year before the Syrian war started, that number sharply rose to 4,524 in 2012.

Figure 1: Seizures in Gaziantep and Hatay Before and After the Syrian War



These cities are the closest Turkish cities to the ISIS-controlled territories in Syria. Currently, Gaziantep shares a border with ISIS territory. The number of antiquities seized in Gaziantep was 2,240 in 2013,²³ and 2,789 in 2015,²⁴ confirmed by news reports that there were seizures of antiquities being trafficked by Syrians in Gaziantep in 2015. For instance, the police arrested a Syrian smuggler in possession of a few antiquities, including a statue.²⁵

According to the research,²⁶ ISIS militants exploited previously established criminal networks between Turkey and Syria in 2013 and 2014. These criminals predominantly were smugglers who were resourceful and active in different areas of smuggling. Local smugglers were transferring antiquities to brokers who were linked to antiquities trafficking groups. Recently, ISIS has eliminated the use of local smugglers; instead, the organization has used ISIS militants in Turkey in order to increase the amount of revenue. These militants have smuggled antiquities to Turkey and handed them over to militants who are directly linked to antiquities trafficking groups.²⁷ These antiquities have been transported to Western countries, including the UK.²⁸ Media reports confirm the research findings. In one of them, the correspondent contacted an ISIS smuggler in a southern Turkish town near the Syrian border who attempted to sell a relief statue trafficked from Palmyra.²⁹

In Turkey, antiquities traffickers consist of *amateurs*, *facilitators*, and *criminal groups*. The amateurs are predominantly illegal excavators who are interested in antiquities and conduct their business through personal networks or websites that facilitate the marketing of antiquities. Amateurs are the most crowded group of traffickers in Turkey. In 2014, most of the traffickers arrested were illegal excavators. The increasing number of Turkish websites in this area is encouraging people to become interested in antiquities.³⁰ It should be noted that the widespread interest in antiquities has led to the emergence of fraud cases. In 2011, the police discovered a laboratory that was being used to manufacture counterfeit antiquities.³¹

The facilitators are collectors and dealers who either operate individually or are linked to traffickers. Their role is to provide international connections for the marketing of antiquities. Using land- or sea-based transportation, companies transfer these antiquities to international dealers. The fact that most of the seizures have been made in the cities of Istanbul, Izmir, Antalya and Mugla indicates that these collectors and dealers operate in metropolitan or harbor cities. It is common to see the abuse of legal dealers in the trafficking of antiquities through the exploitation of their legal status.³²

Criminal groups consisting of local smugglers and well-networked transnational groups make up the third type of trafficker. The police reported 44 organized crime groups operating in this area in 2009.³³ This number decreased to 22 in 2010,³⁴ 24 in 2013,³⁵ and 13 in 2015. Criminal groups are composed of illegal excavators, collectors, and marketers, and their operations include selecting archeological preservation areas, employing local inhabitants for excavation, maintaining their activities by means of agents in other regions, and transferring antiquities abroad.³⁶

Criminal groups in Turkey are transnational, as they are networked with foreign smugglers and traffickers. Turkish law enforcement arrests hundreds of foreign smugglers and traffickers operating in the areas of drugs, cigarettes, arms, and human beings every year. For example, drug traffickers from a considerable number of countries were arrested in 2012 and 2013.³⁷ Out of 123 cocaine traffickers arrested in 2014, the number of foreign traffickers was 117.³⁸ Law enforcement operations have confirmed that Turkish antiquities traffickers have operated in networks. In 2015, law enforcement detected a transnational antiquities trafficking groups.³⁹

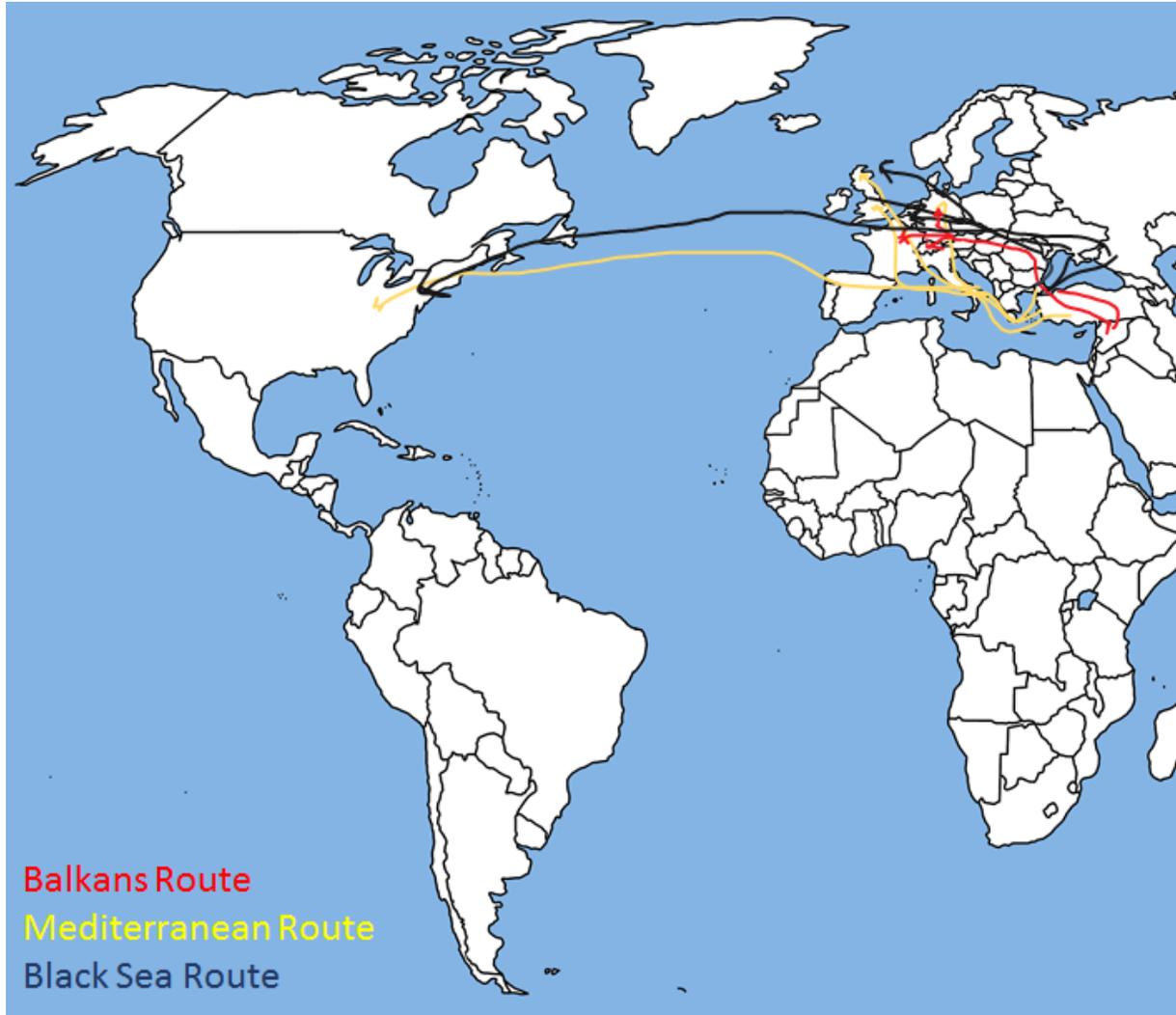
Turkish criminal groups characteristically are capable of moving easily into different types of smuggling and trafficking. They tend to carry out their activities where there is a potential for greater revenue and lower risk.⁴⁰ Law enforcement determined that 122 drug traffickers who were arrested with at least 50 grams of heroin between 2010 and 2012 had moved into cigarette smuggling.⁴¹ When adapting to different types of trafficking, criminal groups in Turkey are not limited to the trafficking and smuggling of drugs or humans

In the 1990s, the police seized nuclear substances and antiquities from the same group, indicating even broader flexibility among traffickers.⁴² In 2004, two traffickers attempted to sell an Aphrodite statue to a German purchaser. When they were arrested in Istanbul, the police found drugs and counterfeit ID cards with them.⁴³

Just as the destination countries for trafficked antiquities were the US and Western European countries in the 1990s and the early 2000s, antiquities traffickers have continued to target these same countries. In 2012, “The Winged Seahorse Brooch” stolen from the Uşak City Museum was seized in Germany, and the “Orpheus Mosaic” smuggled from the city of Şanlıurfa was seized in the US.⁴⁴ As shown in the map below, Turkish antiquities trafficking cases indicate that traffickers use diverse land and sea routes to transport antiquities, including:⁴⁵

- using the Balkans land route through, Bulgaria, Romania, and Austria to Germany, France, and Switzerland;
- using the Mediterranean Sea route from Turkish harbor cities to Italy and then to Germany, Scotland, the UK, and the US; and
- using the Black Sea route from Turkish harbor cities to Romanian, Russian, or Ukrainian harbors and then to Germany, Scotland, the UK, and the US.

Map 1: Antiquities Trafficking Routes Transiting Turkey



Source: 2013 Turkish Report of Anti-Smuggling and Organized Crime

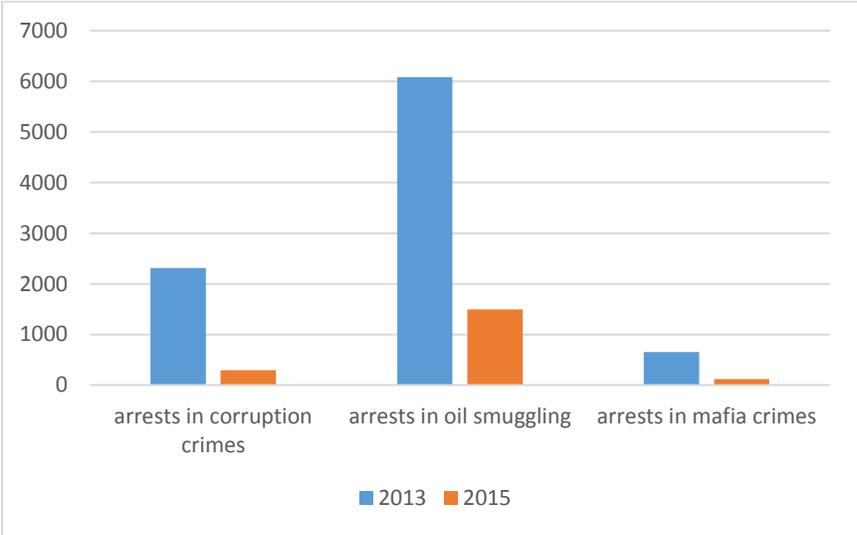
Policy Issues and Recommendations

Combating the trafficking of antiquities is one of the most challenging areas of law enforcement, inasmuch as these traffickers are highly networked and operate under the highest confidentiality. However, the structure of the law enforcement units that are responsible for fighting against antiquities trafficking shows

that Turkey pays little attention to the fight in this area, as these units are small-scale bureaus consisting of several law enforcement officials who handle the trafficking of antiquities.⁴⁶

The Turkish fighting capacity against any kind of smuggling and trafficking has been reduced dramatically due to the consequences of a graft scandal in December 2013⁴⁷ in which the corruption activities of the government were disclosed. After this operation, the Turkish government fired or reassigned the entire personnel of the law enforcement units that are responsible for fighting against smuggling and trafficking, even though the corruption operation was conducted by the Financial Crimes Unit of the Istanbul police department. Reassignments and readjustments in entire units have led to the loss of the institutional memory, knowledge, and experiences accumulated by these units over decades of work against smuggling and trafficking.⁴⁸ For instance, the number of arrests in corruption investigations decreased by 87%, the number of oil smugglers by 75%, the number of arrests in mafia-type criminal investigations by 82%, and the amount of crime proceeds confiscated by 93% in 2015⁴⁹ as shown in the figure below.

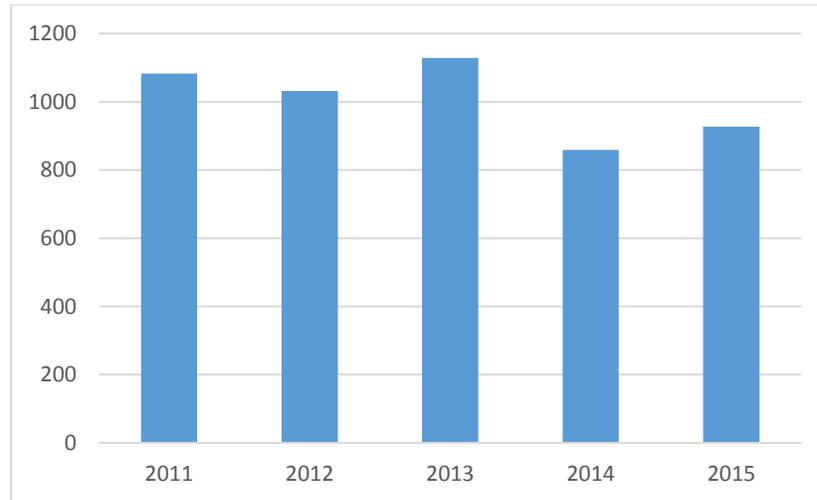
Figure 2: The Comparison of 2013 and 2015 Statistics on Various Crimes



Source: Source: 2013 and 2015 Turkish Reports of Anti-Smuggling and Organized Crime

Also, the gradual increase in the number of antiquities trafficking cases between 2010 and 2013 was reversed in 2014 and 2015.⁵⁰ Similarly, as shown in Figure 3 below, the number of arrests in the trafficking of antiquities cases steadily decreased in 2014 and 2015.⁵¹ Newly appointed personnel lack experience in the fight against this highly specialized kind of trafficking.⁵²

Figure 3: The Arrests in Antiquities Trafficking Cases between 2011 and 2015



Source: 2015 Turkish Report of Anti-Smuggling and Organized Crime

Additionally, the rising terror threat – in particular to the eastern and southeastern regions of the country – presents opportunities to all types of trafficking and smuggling groups. Since 2015, the PKK and ISIS have carried out numerous attacks in Turkey. Hundreds of people have been killed in the attacks conducted by these terrorist organizations since the summer of 2015. Thus, law enforcement officials give priority to security, ignoring the operations of traffickers and smugglers who are actively operating on the Turkish borders with Iran, Iraq, and Syria.⁵³

It seems unlikely that there will be an effective fight against antiquities traffickers in Turkey in the short term. The responsible units are incapable of responding successfully to flexible and well-organized criminal groups. ISIS has the capacity to transport its militants and financial resources over the Turkish and Syrian border. The units combating traffickers in Turkey and Syria have inadequately cooperated for decades. Currently, there is no link between the two countries on the law enforcement side, even as there is a high level of cooperation between the trafficking groups operating in both countries.⁵⁴

In conclusion, the following policies are recommended for law enforcement:

- Turkey should increase the level of bureaucratic representation in the units responsible for combating the trafficking of antiquities. These units should be represented higher than at the bureau level, and law enforcement in charge of the trafficking of antiquities must be trained.
- In addition, special divisions expert on trafficking of antiquities should be established in Istanbul, Antalya, and Izmir, which are used as collection, marketing, and transit areas for traffickers as well as in Gaziantep, Hatay, Sanliurfa, Mardin and Kilis located in Turkish and Syrian border which are

used as smuggling areas. Currently-assigned law enforcement in these cities must be raised awareness.

- A task force should be established from the members of law enforcement composing countries that are used as source, transit, and destination countries for antiquities trafficked from Syria. For example, most Turkish cases show that traffickers in Turkey, Germany, the UK, and the US are networked with each other. Therefore, the task force should include members from these countries and others where linkages are present.

Endnotes

¹ Mahmut Cengiz, (2015). *Türkiye’de organize suç gerçeği ve terörün finansmanı*. Ankara: Seçkin Yayınevi.

² Mahmut Cengiz, (2016). *Orta Dogu’da Küresel Tehditler: Suriye krizi, IŞİD terörü*. Ankara: Adalet Yayınevi.

³ Between 1993 and 1995, 55% of cases were theft of antiquities, whereas remaining cases were randomly encountered and illegal excavations. (1997 Turkish report of smuggling and fraud cases. Ankara: KOM Daire Başkanlığı. Retrieved from <http://www.kom.pol.tr/Sayfalar/Raporlar.aspx>)

⁴ For example, the number of antiquities cases was 216, and law enforcement arrested 565 suspects in these operations. Law enforcement seized 440 antiquities between 1995 and 1997. The number of trafficking cases increased from 216 in 1997 to 338 in 2000 (1997 and 2000 Turkish Report of Anti-Smuggling and Organized Crime). When examining routes of trafficking, traffickers used Istanbul and Izmir to collect stolen objects first and transfer them abroad through land or air (1995 Turkish Report of Anti-Smuggling and Organized Crime)

⁵ Six antiquities were repatriated from the US to Turkey between 1994 and 1997 (1997 Turkish Report of Anti-Smuggling and Organized Crime, 37).

⁶ 1997 Turkish Report of Anti-Smuggling and Organized Crime, 37-38.

⁷ 1997 Turkish Report of Anti-Smuggling and Organized Crime, 40.

⁸ Interviews with law enforcement, January 2017. The theoretical framework in obtaining this data is based on qualitative technique which primarily focus on open-ended and ethnographic topical interviews. The data set is composed of 13 interviews conducted with law enforcement in Turkey in January 2017. Respondents are expert on trafficking of antiquities, and some of them worked in anti-smuggling units in Turkish cities bordering with Iraq and Syria. They were selected with snowballing technique because it was the best technique to reach experts about the topic. They voluntarily participated in the research, and each interview lasted two-three hours. Every individual was reassured that their interview details were confidential.

⁹ Interviews with law enforcement, January 2017.

¹⁰ M. Bogdanos, (2008). *Thieves of Baghdad*. New York: Bloomsbury.

¹¹ Interviews with law enforcement, January 2017.

¹² In 1997, law enforcement recorded 20 cases in the borderlands surrounding the Turkish and Iraqi border (1997 Turkish Report of Anti-Smuggling and Organized Crime, 40).

¹³ 2004 Turkish Report of Anti-Smuggling and Organized Crime, 5.

¹⁴ 2004 Turkish Report of Anti-Smuggling and Organized Crime, 6.

¹⁵ For example, the number of antiquities seized in Turkey was 17,936 in 2007 (2007 Turkish Report of Anti-Smuggling and Organized Crime, 78).

¹⁶ Interviews with law enforcement, January 2017.

¹⁷ 2014 Turkish Report of Anti-Smuggling and Organized Crime, 10 and 18.

¹⁸ According to KOM’s 2014 report, 323 Syrians were charged with preparing counterfeit travelling documents and passports (2014 Turkish Report of Anti-Smuggling and Organized Crime, 38).

¹⁹ Interviews with law enforcement, January 2017.

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- ²⁰ A. Keller, (2015, September 29). Documenting ISIL's antiquities trafficking: The looting and destruction of Iraqi and Syrian cultural heritage: What we know and what can be done. *US State Department*. Retrieved from <http://www.state.gov/e/eb/rls/rm/2015/247610.htm>
- ²¹ L. Amineddoleh, (2016, June 20). How western art collectors are helping to fund Isis. *The Guardian*. Retrieved from <https://www.theguardian.com/artanddesign/2016/feb/26/western-art-funding-terrorism-isis-middle-east>
- ²² *2013 Turkish Report of Anti-Smuggling and Organized Crime*, 50.
- ²³ *2013 Turkish Report of Anti-Smuggling and Organized Crime* p.52
- ²⁴ *2015 Turkish Report of Anti-Smuggling and Organized Crime* p, 40
- ²⁵ Anadolu Ajansı. (2015, May 6). Gaziantep'te tarihi eser kaçakçılığı. *Sabah*. Retrieved from <http://www.sabah.com.tr/yasam/2015/05/06/gaziantep-te-tarihi-eser-kacakciligi>
- ²⁶ Interviews with law enforcement, January 2017.
- ²⁷ Interviews with law enforcement, January 2017.
- ²⁸ R. Shabi, (2015, July 3). Looted in Syria – and sold in London: The British antiques shops dealing in artefacts smuggled by Isis. *The Guardian*. Retrieved from <https://www.theguardian.com/world/2015/jul/03/antiquities-looted-by-isis-end-up-in-london-shops>
- ²⁹ R. Engel, Petropoulos, A., & Cheikh Omar, A. (2016, April 6). Smuggler of stolen artifacts from Palmyra speaks out about ISIS' illicit operation.” *NBC News*. Retrieved from <http://www.nbcnews.com/storyline/isis-terror/smuggler-stolen-artifacts-palmyra-speaks-out-about-isis-illicit-operation-n551806>
- ³⁰ *2014 Turkish Report of Anti-Smuggling and Organized Crime*, 62.
- ³¹ *2011 Turkish Report of Anti-Smuggling and Organized Crime*, 26.
- ³² *2014 Turkish Report of Anti-Smuggling and Organized Crime*, 61.
- ³³ *2009 Turkish Report of Anti-Smuggling and Organized Crime*, 87.
- ³⁴ *2010 Turkish Report of Anti-Smuggling and Organized Crime*, 100.
- ³⁵ *2013 Turkish Report of Anti-Smuggling and Organized Crime*, 73.
- ³⁶ Interviews with law enforcement, January 2017.
- ³⁷ *20012 and 2013 Turkish Report of Anti-Smuggling and Organized Crime*
- ³⁸ *2014 Turkish Report of Anti-Smuggling and Organized Crime*, 12.
- ³⁹ *2015 Turkish Report of Anti-Smuggling and Organized Crime*, 39.
- ⁴⁰ Interviews with law enforcement, January 2017.
- ⁴¹ *2012 Turkish Report of Anti-Smuggling and Organized Crime*
- ⁴² L. Shelley, (2014). *Dirty entanglements: Corruption, crime, and terrorism*. New York: Cambridge University Press.
- ⁴³ It was stolen from Izmir Archeological Museum. The price of the statue, which originated from BC 30 in the Roman period, was 1 million US Dollars (*2004 Turkish Report of Anti-Smuggling and Organized Crime*, 12).
- ⁴⁴ *2013 Turkish Report of Anti-Smuggling and Organized Crime*, 50.
- ⁴⁵ *2013 Turkish Report of Anti-Smuggling and Organized Crime*, 50.
- ⁴⁶ Interviews with law enforcement, January 2017.
- ⁴⁷ The police arrested the sons of four ministers as well as Iranian businessman Reza Zarrab because of a high amount of bribes given for the laundering of Iranian money. After the operation, Zarrab and all other suspects were released and the case was dropped as the result of an intervention by the government. However, Zarrab was arrested on March 19, 2016 in the US under charges similar to those made in Turkey. The investigation is continuing in the US Mahmut Cengiz and Zakir Gul “Turkey’s Self-Destruction of Its Own Security”. *Vocale Europe*, Accessed February 10, 2017 from <http://www.vocaleurope.eu/turkeys-self-destruction-of-its-own-security/>
- ⁴⁸ Interviews with law enforcement, January 2017.
- ⁴⁹ Mahmut Cengiz and Zakir Gul “Turkey’s Self-Destruction of Its Own Security”, 2017.
- ⁵⁰ The number of incidents was 391 in 2010, (*2011 Turkish Report of Anti-Smuggling and Organized Crime*, p. 17) 464 in 2011, 470 in 2012, 484 in 2013, 418 in 2014 and 464 in 2015 (*2011-2015 Turkish Report of Anti-Smuggling and Organized Crime*, 39)
- ⁵¹ *2015 Turkish Report of Anti-Smuggling and Organized Crime*, p. 39.
- ⁵² Interviews with law enforcement, January 2017.
- ⁵³ Interviews with law enforcement, January 2017.
- ⁵⁴ Interviews with law enforcement, January 2017.