

AWARENESS RAISING AND PROTECTION OF ARCHAEOLOGICAL HERITAGE

Mg.sc.soc., LL.B **Andris Kairišs**
Latvian Academy of Culture, Latvia

Abstract

Significant amount of illegal excavations and information regarding Internet trade of protected artifacts, the number of criminal cases and other violations strongly implies that Latvian archaeological heritage is endangered. The detailed situation unfortunately is not precisely known since correspondent statistical data are not being processed and analysed on regular basis.

Different methods are being used in order to reduce illegal obtainment and trade of antiquities, however, it is usually hard to find relatively efficient and at the same time fast solution.

One of practical solutions to the problem has to do with enhancing awareness of different audiences involved. Thus, after six months of hard work, the *Catalogue of Endangered Latvian Archaeological Artefacts* was published in June 2016.

The analysis of national situation regarding protection of archaeological artifacts, combined with survey of controlling institutions as well as study of foreign information sources allowed for some conclusions at the broader level:

- awareness-raising activities seem to be necessary and valuable as legislative acts do not contain all the information needed for different audiences. Awareness raising achieved by information dissemination concerning protected archaeological artifacts and related issues seems to be accelerated comparing to other possible solutions;
- understanding the factors that push to wrongdoing or influence abstention from it in the context of current political and socio-economic situation is probably the key aspect for facilitating protection of cultural heritage;
- the combination of informational, legal, law enforcement, analytical, coordination, organization and mutual cooperation activities is important for more effective protection.

Keywords: *archaeological heritage, endangered artifacts, looting, awareness, heritage protection.*

Introduction

Three offenders have been convicted for damaging and looting of ancient burial ground by one of Latvian district courts in the end of 2015 [ADC 2015]. This event perhaps would not be considered so significant if it had not been the first time when criminal liability was applied and real punishment was given for such an offence committed in Latvia [Ambote 2015]. The case was even called as “the historical judgement” [LETA 2015] [Ambote 2015] and representative of the State police revealed that “... there was not any success for holding the looters criminally liable until then. It was the first time in 2015 when there was a success” [Krauze 2017].

Beyond doubts it is positive that the work of the law enforcement succeeded, although an “uncomfortable” question arises, because situation logic requires the answer: Why is this the first case in 25 years? Why did the national archaeological heritage turn out to be so vulnerable?

This article is not intended for detailed and all-round study of the situation, analysing all the possible factors that influence protection of the archaeological heritage. Basic attention in the article is focused on awareness of both inhabitants and institutions controlling the turnover of cultural objects (hereinafter – controlling institutions)¹ regarding necessity for protection of cultural (archaeological) heritage as well as possible factor of unawareness to vulnerability of the heritage.

The information used in the article was available to the author as of March 2017.

Facts and numbers

While the problem of illegal excavations has been officially noted already in 2011 [UNESCO 2011: 3], Latvian crime statistics do not contain data on the illegal obtainment of archaeological artifacts [Kairiss 2016: 64–65]. Despite a significant amount of illegal excavations (especially in the ancient burial places), it is not precisely known which archaeological artifacts have been illegally obtained and no archaeological artifacts have been seized during their transport out of the country. Controlling institutions in most cases receive information regarding the

¹ Institutions more or less engaged in control of turnover of cultural objects (e.g. prevention and fight against offences involving cultural objects and/or the identification of illegal dealing in cultural objects), e.g. the State Police, State Inspection for Heritage Protection, units of State Revenue Service etc.

illegal turnover of protected Latvian archaeological artifacts¹ from Internet trading websites (e.g., eBay.com). Publicly available information regarding the Internet trade in antiquities must lead to the assumption that volume of illegal trade of protected Latvian archaeological artifacts on the Internet is large.² Damage to archaeological heritage often caused by the finders of ancient objects is considered to be one of factors endangering cultural heritage in the framework of SWOT analysis conducted by the State Inspection for Heritage Protection (hereinafter – SifHP) for cultural monuments protection sector [SifHP 2015, 2: 10].

According to SifHP data [SifHP 2015, 1; 2016, 2] from 2011 until June 2016 the following damage cases have been registered in Latvian archaeological sites:³

- ancient burial places: 109 cases, proportion in the total amount of damage cases about 83%;
- hillforts: 18 cases, about 14%;
- other sites: 5 cases, about 3%.

According to the State Police data [Police 2016] from 2014 until June 2016, 26 criminal proceedings have been started, qualified according to section 229 “Destruction of and Damage to Cultural Monuments” and 228 “Desecration of graves and corpses” of the Criminal Law⁴ and related to criminal offences against cultural monuments.

Besides criminal offences, administrative violations are also being committed. Furthermore, large number of illegal excavations in archaeological sites had been recognized, but did not lead to any criminal proceedings or administrative violation procedure [SifHP 2015, 1].

Damage done in financial terms, according to initial estimates (to be exact in the court proceedings), in 2011–2014 was about 3.06 million EUR, in January – March 2015 only – about 3.4 million EUR [SifHP 2015, 1].

It should be noted that there is no precise statistics regarding looting of and damage done to archaeological sites in Latvia. It could be explained by qualification of offences as well as organizational issues and responsibility aspects of institutions concerned: at least a part of offences involving cultural monuments, such as ancient burial grounds, is being qualified not by the section 229 (Destruction of

¹ Law of the Republic of Latvia “On Protection of Cultural Monuments”. According to Paragraph 4 of Section 7 “... Antiquities found in archaeological sites in the ground, above the ground or in water (dated until the 17th century included) shall belong to the State, and they shall be stored by public museums. ...”

² E.g. in September 2014 there were about 30 traders openly (illegally) selling protected Latvian archaeological artifacts on eBay.com

³ According to SifHP information, data on damage done from 2015 to the end of the first half of 2016 could be specified.

⁴ Law of the Republic of Latvia “Criminal Law”.

and Damage to Cultural Monuments), but by the section 228 of the Criminal Law (Desecration of graves and corpses), incl. the aforementioned “historical judgement” adopted at the end of 2015 [Sprūde 2016]¹. The official statistics [IC 2017] does not differentiate an offence by the place of occurrence, either an ancient burial ground (in most cases related to illegal obtainment of artifacts), or modern cemetery (often related to act of vandalism, theft of grave equipment etc. objects). Without special inquiry it is impossible to conclude from the official statistics where exactly the offence has been committed – in the ancient burial place or modern cemetery. Official statistics [IC 2017] [CIS 2017] confirm that level of criminal offences related to desecration of graves and corpses is consistently steady in Latvia. In average, in a year there are 49 criminal offences related to stealing of a monument or funerary urn, or other objects placed on or in a grave or at a funerary urn (year 2011 to 2016).

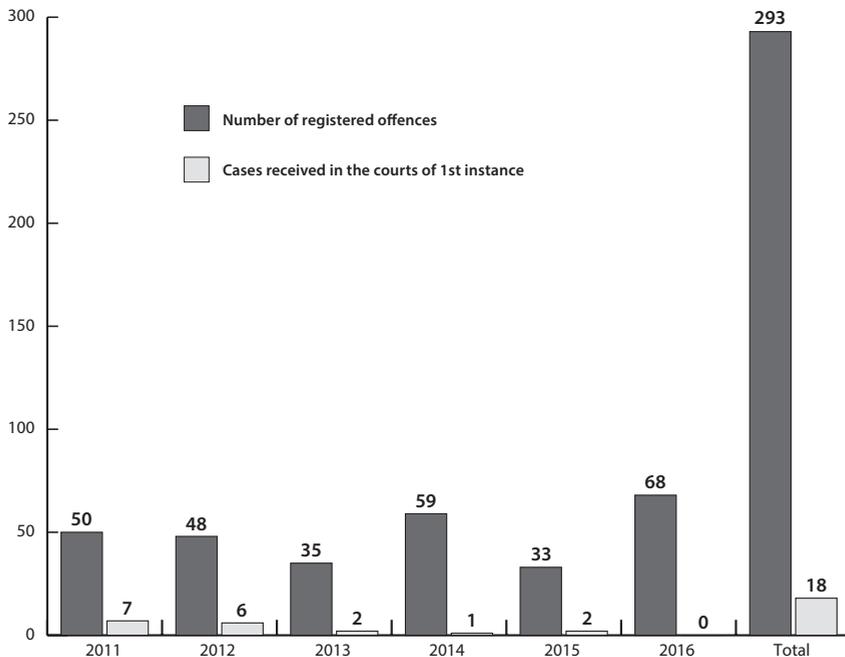


Figure 1. Desecration of graves and corpses associated with stealing²
(Raw data source: [IC 2017] [CIS 2017]).

¹ In this case at the moment of commitment of the offence the place of illegal excavation, in legal terms, represented protection zone of cultural monument “Asaru ancient burial ground” and not the ancient burial ground itself.

² Law of the Republic of Latvia “Criminal Law”. Paragraph three of Section 228. Desecration of graves, funerary urns or interred or uninterred corpses (also if committed by a group of persons pursuant to prior agreement), if such acts are associated with stealing of a monument or funerary urn, or other objects placed on or in a grave or at a funerary urn.

At the same time, offences qualified according to section 229 (Destruction of and Damage to Cultural Monuments) of the Criminal Law practically do not get into the courts of first instance, see Figure 2.

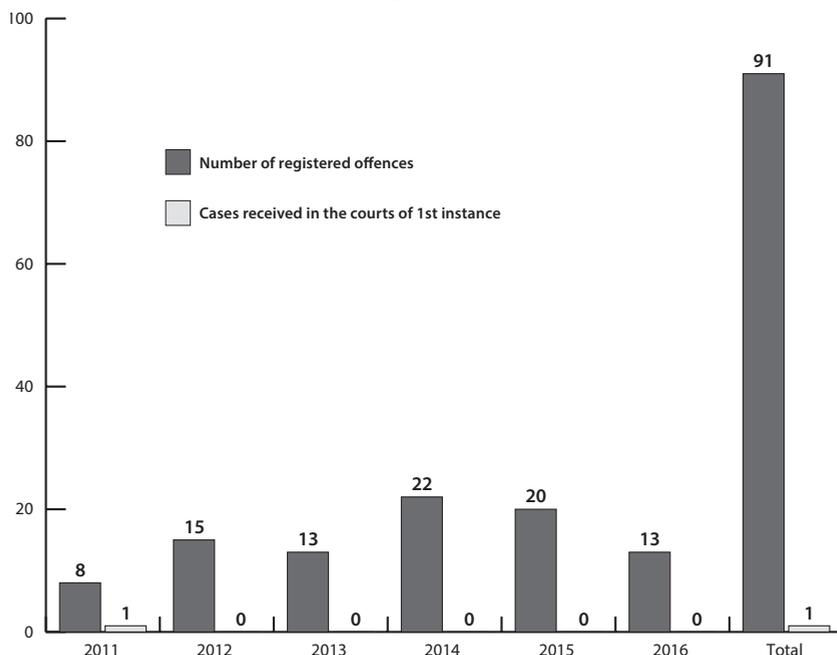


Figure 2. Destruction of and Damage to Cultural Monuments.¹
(Raw data source: [IC 2017] [CIS 2017]).

Section 89 of Latvian Administrative Violations Code provides for liability for breach of cultural monument protection rules,² although there are several rules that a person could break and considered liable according to the above-mentioned section. According to the law “On Protection of Cultural Monuments”³ the finder within five days shall notify the SifHP in writing regarding the objects which might have historical, scientific, artistic, or other cultural value (i.e. also about the archaeological artifacts), as well as the location and conditions of the find. Section 89 of Latvian Administrative Violations Code provides for administrative liability for non-declaration of archeological finds, although without going into specifics of an administrative violation it is not possible to conclude whether

¹ Law of the Republic of Latvia “Criminal Law”. Section 229. Destruction of and Damage to Cultural Monuments.

² Law of the Republic of Latvia “Latvian Administrative Violations Code”.

³ Law of the Republic of Latvia “On Protection of Cultural Monuments”. Paragraph 2 of Section 17.

administrative liability has been applied specifically for the mentioned violation or breach of any other cultural monument protection rule. On 13 June 2016 a draft law¹ was submitted to the Saeima (Parliament) of the Republic of Latvia. It proposes transferring of administrative liability for violation of cultural monument protection rules to the law “On Protection of Cultural Monuments”. It seems that the draft law brings more clarity, including administrative liability for non-declaration of the archaeological artifact (defining it as illegal keeping of the artifact that belongs to the state).

At the moment, no institution in the country is primarily responsible for processing of statistical data on violations of law related to cultural heritage. The corresponding data are published just from time to time, e.g. on the basis of mass media or researchers’ request.² Despite significant destruction and looting of archaeological sites in 2015, there is not any reflection on that and no statistical information on associated damage has been included in the 2015 public report of the SIFHP [SIFHP 2016, 1]. Statistical information on destruction and looting of archaeological sites is not included on the SIFHP website either. Sometimes, statistical data with regard to offences against cultural monuments given by the representatives of the SIFHP differ from one another. For example, information given in the journal “*ir*” in June 2016 [Nagle 2016] regarding criminal proceedings started in 2015 (19 proceedings) does not correspond to information given during the news release by Latvian Independent Television dated 23 July 2016 [Brikmane 2016] regarding criminal proceedings started in 2015 (22 proceedings). The aforementioned data do not correspond with data given by the State Police [Police 2016], which has informed that 8 criminal proceedings have been started regarding damaging and looting of archaeological monuments in 2015 (representative of the State Police informed³ that information given did not contain data on those offences

¹ Draft law “Amendment of the law “On Protection of Cultural Monuments”” No 604/Lp12 submitted to the Parliament of the Republic of Latvia (2016). Available: [http://titania.saeima.lv/LIVS12/saeimalivs12.nsf/webAll?SearchView&Query=\(\[Title\]=*Par+kult%C5%A2Bras+pieminek%C4%BCu+aizsardz%C4%ABbu*\)&SearchMax=0&SearchOrder=4](http://titania.saeima.lv/LIVS12/saeimalivs12.nsf/webAll?SearchView&Query=([Title]=*Par+kult%C5%A2Bras+pieminek%C4%BCu+aizsardz%C4%ABbu*)&SearchMax=0&SearchOrder=4) (viewed 20.03.2017.)

² Also norms prescribed in the law of the Republic of Latvia “State Administration Structure Law” should be taken into account, e.g. paragraph 7 of section 10 (Principles of State Administration) states: “...(7) The duty of State administration is to inform the public of its activities. This especially applies to that section of the public and to those private persons whose rights or lawful interests are or may be affected by the implemented or planned activities. ...”. Aspects of damaging, destroying and looting of cultural heritage are probably quite important, so the institutions involved should inform the public on their own initiative.

³ State police explanation provided on 22 August 2016 according to request of A. Kairiss, invited researcher of the Latvian Academy of Culture.

against cultural monuments, that have been qualified as hooligan actions, since they were not related to looting of the artifacts). The fact that no institution in the country is primarily responsible for processing and analysis of the aforementioned statistical data¹ demonstrates lack of uniform approach to processing of such data and assessing situation in the country. One of the tasks included in the Strategy for cultural monuments protection sector for 2014–2020, offers, however, a ray of hope: “qualitative information, including statistical data gathering and analysis” is mentioned there [SifHP 2015, 2: 14, 20 sub-point 2.2.6.]. Probably this task is related also to data processing and analysis on violations of law related to cultural heritage.

Development of Latvian solutions

In order to understand where we are, where we were, and where we probably want to be, it seems important to observe the development of Latvian solutions regarding prevention and combating offences involving cultural objects. The situation in greater detail has been described in the article dedicated to development of the corresponding solutions [Kairiss 2015]. Here, in this publication, just the most important facts have been summarized.

Most probably no significant study of cultural property thefts has been conducted in Latvia before 2008. So, the situation was more or less like the “happy ignorance”.

In 2008 analysts of the Information Centre of Ministry of the Interior noticed significant disproportion between number of stolen and recovered cultural objects, lack of quality regarding cultural objects identification data and a number of technical problems regarding data processing on cultural objects in the law enforcement sector. Studying available information on thefts of cultural objects, the analysts have come to the primary conclusion: there was a lack of co-operation between law enforcement and private owners/holders of cultural objects. The main problem had to do with lack of timely received qualitative information.

So, the list of inadequacies has been developed. Briefly speaking, the imperfections were of methodological, technical and organizational nature. On the basis of the conducted study, the international project has been carried out,

¹ E.g. the corresponding function or task is not directly mentioned in the Cabinet of Ministers of the Republic of Latvia regulation No 916, adopted on 9 November 2004, “By-law of the State Inspection for Heritage Protection”; probably it can be concluded from more general functions of the institution, e.g. subpoint 2.1.: “2. The Inspection shall have the following functions: 2.1. to implement the protection of cultural monuments; ...”; however, no one of the institution’s tasks listed in the legal act does not directly correspond to data processing and analysis.

implementing modern information processing and exchange solutions. Developed solutions included also publicly available free of charge electronic services for description and verification of status of cultural objects.¹

It should be taken into account, however, that since 2011–2012 the electronic services have not been advertised or otherwise significantly promoted, so despite a very hopeful start, their usage has decreased dramatically. Besides, amount of data publication and data updating in the framework of electronic service “Detection of the status of cultural object” [IC 2011] has decreased largely, most probably due to certain ignorance of the electronic service from the part of institutions concerned.²

It turned out, however, that technical solutions alone could not help to resolve the issue. Analysis conducted in 2012–2015 by researchers of Latvian Academy of Culture revealed several aspects to be addressed in order to improve the situation (for more detailed information see [Kairiss 2016: 73–74]). Table 1 summarizes data on historical development of the corresponding solutions.

Table 1. **Latvian solutions regarding prevention and combating offences involving cultural objects**

Prior to 2008 <i>Happy ignorance</i>	2008–2009 <i>The revelation</i>	2009–2011 <i>“Deus ex machina”</i>	2012–2016 <i>The revelation II</i>
No data – no problem!	Increasing crime against cultural property and negligible amount of recovered objects Blames and excuses The start of analysis	Methodology for description of cultural objects Improvement of law enforcement information system and data exchange Creation of public electronic services	The percentage of recovered cultural objects remained very low Aspects to be addressed: • awareness • knowledge • cooperation • coordination • legal regulation

The aforementioned aspects have been largely affirmed also in the framework of the survey of controlling institutions in 2014–2015.

¹ See, e.g. ICOM International Observatory on Illicit Traffic in Cultural Goods. Latvia. Information Centre. Available: http://obs-traffic.museum/information-centre?search_api_views_fulltext (viewed 12.03.2017.)

² E.g. the last publicly available record regarding stolen/lost cultural object in the electronic service is dated by 9 September 2014. Available: http://www.ic.iem.gov.lv/ko_status/index.php (viewed 12.03.2017.)

Survey of representatives of controlling institutions

In the framework of research project “Improvement of solutions for reducing illegal turnover of cultural objects in Latvia” implemented by Latvian Academy of Culture, training for representatives of controlling institutions was organized in 2014–2015 regarding identification of cultural historic objects and the related issues. The training was implemented in Daugavpils, Ventspils and Riga (3 trainings in Riga) and the total number of participants has reached 222 officers and employees of the State Police, State Revenue Service (customs), State Border Guard, SifHP, SJC “Latvijas Pasts” (Latvian postal service), as well as employees of some museums. The objective of training was related to providing of basic knowledge about those cultural historic objects more often illegally obtained or traded, so officers or employees can assess the situation and involve cultural field professionals to support controlling institutions as soon as possible.

In the course of the training, using one and the same programme, participants’ surveys (5 in total) on cultural objects protection and illegal turnover issues were conducted.¹ The total number of respondents reached 180, representing 81.1% of the training participants. The most significant part of respondents constituted officers/employees of the State police, State Revenue Service (customs) and State Border Guard (about 92% in total). In terms of work experience the most part represented persons with 6 to 20 years of work experience (59.4% in total). This publication reflects respondents’ answers just to some of the questions.

The absolute majority of respondents – 82.7% (or 148) – indicated that they consider illegal turnover of cultural objects as actual issue to be resolved.

According to respondents’ opinion (137 answers given to the open question (possible responses were not pre-formulated in the questionnaire)) the main barriers to more effective reduction of illegal turnover of cultural objects are as follows (more significant – first):

1. insufficient knowledge/awareness of personnel of officers/employees (e.g. cultural objects identification issues, value estimation), lack of training;
2. lack of cooperation and information sharing between institutions concerned at national and international level, insufficient information exchange, complications in identification of stolen property (including ineffective use of information systems, insufficient registration and therefore identification of cultural objects);

¹ The survey has been conducted and results summarized by Andris Kairiss, invited researcher of Latvian Academy of Culture. Latvian Academy of Culture provided some technical support in implementation of the survey.

3. insufficient/ineffective legal regulation (e.g. to hold perpetrators accountable; non-licensing of usage of metal detectors), insufficient experience in application of law;
4. insufficient awareness and apathy of the public (also in connection with economic situation in the country);
5. lack of financial and other resources of controlling institutions;
6. lack of information in the field of practical limitation of illegal turnover of cultural objects (e.g. methods for prevention of illegal transportation, supporting documents and forgeries thereof);
7. insufficient control of cultural objects during border control procedures, open internal borders in the EU (lack of control);
8. lack of experts and specialists;
9. lack of information regarding protected objects/sites (e.g. archaeological sites);
10. illegal trade on the Internet and other barriers.

Respondents have given comments, noting that they are most interested in the following aspects which correlate with the aforementioned barriers:

1. detailed characteristics and identification of different cultural objects (in particular – icons, numismatics, phaleristics, paintings, weapons, archaeological artifacts);
2. aspects of forgery of cultural objects;
3. aspects of provenance and age identification of cultural objects;
4. characteristics of illegal actions involving cultural objects (*modus operandi*), e.g. illegal market, illegal trade networks and transportation channels, thefts from religious sites, illegal obtainment and transportation out of the country, illegal turnover of different kinds of cultural objects and prevention/combating thereof;
5. schemes (algorithms) of actions and flow of information in different situations (e.g. where and how to verify data on cultural object (e.g. information systems), whom to contact);
6. legal regulation and aspects of practical application thereof (e.g. restrictions of turnover and export; supporting documents, prevention of legalization, proof issues, punishment);
7. mutual cooperation between institutions concerned.

Awareness aspect

The awareness of institutions concerned and general public plays significant role among factors and barriers, affecting the reduction of illegal turnover of cultural objects (including archaeological artifacts), defined by both researchers of Latvian Academy of Culture and participants of the survey.

Presumably those persons consciously involved in damaging and looting of archaeological sites, illegal trade of artifacts and other illegal activities do not understand social economic consequences of their actions, see, e.g. [Brodie 2010],¹ although they are quite well informed about the illegal nature of their actions and are able to identify archaeological artifacts at least in general [LSM 2016].

According to one of classic criminology theories – *the routine activity theory* [Cohen, Felson 1979] – the offence is committed when the *likely offender* meets the *potential target* in the absence of the *capable guard*. If there is certain clarity regarding the potential target as such – in our case it is archaeological artifact or site, then the question regarding the likely offender and the capable guard is not so unambiguous. Probably one and the same person could take both the offender's or guard's role or remain indifferent (e.g. doing nothing while seeing someone damaging archaeological site), not taking any side. It seems that the aspect of awareness and the related comprehension is of significant importance for choosing the particular role.

Analysing the situation on a broader scale, one most probably should agree with assumption that nowadays moral considerations should be increasingly attributed to the buyers of antiquities since they have option to choose in comparison with those artifact finders who are very poor, see e.g. [Brodie, Doole, Watson 2000: 25]. Making an assumption about social economic context's influence to the option to choose, it should be noted that the situation in contemporary Latvia, although it should be improved [OECD 2016], is not so dramatic (there is no famine or war etc.), that illegal obtainment and trade of archaeological artifacts is related to resource gathering for survival. The aforementioned is also confirmed by international welfare indexes, e.g. *Legatum Prosperity Index* [Legatum 2017]. According to this index Latvia is ranked number 37 (out of 149 countries) by all indicators and number 34 by the economic quality indicator in 2016.

For simplicity, we can observe a case when an archaeological artifact has already been obtained (e.g. as a result of illegal excavation) and reached a potential buyer's sight.

¹ E.g. short-term economic gain for persons involved in illegal obtainment of archaeological artifacts causes significant long-term social economic losses at least at local and regional level.

It seems that the potential buyer would try to answer at least some questions before making decision on purchase of concrete object. Probably the most significant aspects to be clarified (besides price) related to whether the particular object is an archaeological artifact as such and, if it at least seemingly is, then which culture and time period does it belong to.

It is doubtful that the potential buyer would immediately ask (at least to himself) a question of whether the particular object is an object of trade in terms of law. Furthermore, it is even more doubtful taking into account the fact that corresponding indications (e.g. regarding requirements of relevant international or national legal acts, imposing restrictions on turnover of these objects) are not always presented on the trading websites [Brodie 2015: 12, 18]. In reality identification of archaeological artifacts is quite complicated as most people are not familiar with them (e.g. if the artifacts look like a piece of rusty metal or fragment of a stone) or are able to differentiate archaeological artifacts from remakes or fakes as there is large number of fakes in the antiquities market [Brodie 2015: 11–12] [Yates 2015: 35] [Seif 2015: 73]. The sellers, taking into account insufficient knowledge of the potential buyers and high demand for particular artifacts, could mislead the buyers, e.g. representing Baltic tribes' artifacts as Viking artifacts [Nagle 2016].

Since archaeological artifacts are not weapons, narcotic substances or other objects characterized by well-known turnover restrictions, the potential buyer might be unaware that the sale of these items may be illegal. In order to give rise to suspicion that the artifact is traded illegally, it should be identified as protected object (the *potential target*). At this stage we can also face one of the common misconceptions – if something is stated in the law (i.e. that archaeological artifacts are under protection), then it is considered to be crystal clear and self-evident. Unfortunately, practice shows that even many law enforcement professionals have no sufficient knowledge to identify protected archaeological artifacts, e.g. chief of the Criminal Investigation Board of the State Police noted that there are no experts in the police who would be able to identify whether the found objects are considered to be archaeological artifacts, that is why the police cooperates with the SifHP [Helmane 2016]. Situation could be even more complicated taking into account that the potential buyers are often interested in those archaeological artifacts having turnover restrictions imposed by national legal acts of their country of origin (i.e. other than the country of residence of the buyer), and the restrictions may apply to artifacts of certain age only.¹

¹ E.g. according to Section 7 of the “Law On Protection of Cultural Monuments” only those antiquities dated until the 17th century included shall belong to the state and be stored by public museums.

Possible consequences of non-identification of archaeological artifact are, for example, buying it as unprotected object (e.g. without checking the provenance, requesting exportation license etc.) and non-reporting of the accidental find to heritage protection authorities.

Therefore, unawareness and not only the malice could influence the support of illegal activities and damaging the archaeological heritage.

Let us assume that the archaeological object has been identified as protected. Where does the identification of the protected object lead us to? Are some of us going to remain more or less indifferent and behave as “likely offenders”, and the others are going to become “capable guardians”? There are probably 3 basic options:

- indifference. Despite publicly available information on destruction and looting of archaeological sites as well as huge number of artifacts with doubtful provenance [UNESCO 2015], it does not abstain many buyers from corresponding purchases. The volume of trade on the Internet allows for assumption that many buyers are not embarrassed with the fact that a large amount of archaeological artifacts is characterized with doubtful provenance or represents fakes [Brodie 2015: 18]. Probably the “indifferent” buyers do not worry about damage done to cultural heritage or assume that many other persons who sold and bought artifacts with doubtful provenance, have not been held responsible for their actions, so there is no ground to worry about the possible consequences;
- fear of liability. It could work in some cases when a person fears to become a partner in crime if he or she doesn't inform controlling institutions about the breach of law. More frequently it is related to fear of damaged reputation if a person buys stolen (or illegally obtained) objects. It is logical to suppose that at least in some cases fear of liability can help the likely offender to abstain from wrongdoing. Nevertheless, fear of liability most probably would have limited efficiency if a person is not internally convinced of inadmissibility of certain actions;
- understanding the value. Understanding the value of a protected object, phenomenon or interest is powerful positive stimulus no matter whether we talk about human life, health or cultural historic value of an archaeological artifact. The key element here is conventional understanding of the value: e.g. it is much more likely that everyone would rather immediately protect child from abuse than archaeological site or artifact from looting and illegal trade. Sometimes attention is drawn not so much to the protection of archaeological artifacts, but to the conditions of illegal obtainment of the artifacts. In cases of ancient burial grounds looting, there is often sharp reaction in mass media news and readers' comments regarding the

disturbing of peace of the dead, lack of respect for ancestors etc. Those people who understand the cultural historic value of archaeological artifacts and are internally convinced of necessity to protect cultural heritage, are the most “capable guardians”. Even more – if we feel respect to and pride of the object, it is much more likely that we would do our best to protect it. An example of it could be protection of artifacts/artworks we associate with the nation or consider as significant part of the world cultural heritage.

There are also cases in Latvia when local inhabitants unite to protect the archaeological heritage and possibly reduce actions of the looters [Vilcāne 2013].

Awareness raising

Theoretically there could be a hope that inhabitants would raise their level of awareness themselves, reading legal acts and looking for information regarding protection of cultural heritage. In some cases it is true, although taking into account threats to archaeological heritage worldwide, it should be assumed that large part of individuals is not particularly active in the field of protection of archaeological heritage even if the threats relate to their own countries or districts of domicile. The important aspect is that there is a lot of information regarding Latvian archaeological heritage, although it is largely connected with issues of archaeology, research of historical and other aspects, i.e. both general public and controlling (non-cultural) institutions lack concentrated information in the context of identification and protection of archaeological artifacts.

Taking into account the aforementioned and remembering the words of Aeschylus that “a wise person does not know much, but knows what is necessary”, in order to raise the awareness of inhabitants as well as institutions and organizations concerned regarding protected Latvian archaeological artifacts, a small group of Latvian cultural institutions’ representatives, under the guidance of Latvian Academy of Culture, started to develop *Catalogue of Endangered Latvian Archaeological Artefacts* (hereinafter – the Catalogue) in the end of 2015 [Kairišs, Šulte, Zirne, Lūsēna, Urtāns 2016].

It took Latvian Academy of Culture, National History Museum of Latvia and SIFHP about 6 months of concentrated work to create the Catalogue. The Catalogue has been developed with some consultative support of several controlling institutions.

The Catalogue is designed to aid in the identification of those Latvian archaeological artifacts, which are more frequently acquired illegally, illegally traded and exported outside the territory of Latvia. It includes only the types of artifacts that are most threatened by illegal obtainment and trade, as well as more commonly found in Latvia. Individual archaeological artifacts shown and described in the

Catalogue are legitimately held in the National History Museum of Latvia collections and have been included in it for illustrative purposes.

The idea of such a catalogue is not very original, ICOM, for example, created so called Red Lists catalogues and database, also containing images and descriptions of artifacts legitimately held in museums.¹ Latvian Catalogue differs from ICOM publications with more information included both in terms of number of objects and detailed descriptions as well as with sample of exportation permit, images and descriptions of objects before and after restoration.

Detection of the most endangered artifacts has been done by studying content of several tens of websites offering for sale the artifacts of Latvian origin.

The Catalogue is available free of charge in Latvian, English and Russian. It can be downloaded freely from several national and foreign websites, including one of Interpol General Secretariat.² It is intended for use by many national, foreign and international target groups, e.g.:

- controlling institutions (e.g. police, customs, Interpol),
- cultural institutions (e.g. museums, ICOM, UNESCO),
- traders, actual and potential buyers of cultural objects,
- non-governmental organizations, universities and schools,
- individuals interested in history, tourists,
- other audiences.

The main task of the Catalogue is to raise awareness, that is why besides information on archaeological artifacts, it contains legal and practical information on protection issues. It includes the following parts:

- description of the current situation,
- legal information,
- recommendations regarding activities:
 - intended for prevention and detection of illegal turnover of the artifacts,
 - in case of detection (suspicion) of illegal turnover of the artifacts,
- descriptions and images of artifacts,
- characteristics and images of artifacts before and after the restoration,
- filled-in sample of the exportation permit,
- contact information of controlling institutions,
- contact information of museums providing consultations on archaeological artifacts.

¹ ICOM. Red List catalogues and data base. Available: <http://icom.museum/programmes/fighting-illicit-traffic/red-list/> (viewed 23.03.2017.)

² Interpol. Works of art. Available: <https://www.interpol.int/Crime-areas/Works-of-art/Works-of-art> (viewed 23.03.2017.)

Using law enforcement, cultural and academic institutions channels, the Catalogue in just several days has been distributed to large number of national, foreign and international controlling institutions, as well as number of cultural, academic and research institutions, also NGOs. The Catalogue has been included in the websites of several national and foreign institutions and organizations, social networks, as well as promoted in mass media, thus facilitating its availability to general public.

It seems that the benefits of the Catalogue usage are self-explanatory, however, besides detection of the most endangered kinds of artifacts and improving awareness of different audiences in both Latvia and abroad, it also increases capabilities for prevention and combating offences against archaeological heritage and cooperation between different institutions, organizations and persons concerned. At the same time the Catalogue performs kind of preventive function, e.g. informing about negative consequences of destruction of cultural heritage and liability for illegal transfer of property rights and sale of artifacts, illegal transportation and sending artifacts by mail. One of the positive effects is probably related to decreasing of motivation for making illegal digs in Latvian archaeological sites and illegal trade of Latvian archaeological artifacts. Possible positive influence of the Catalogue could be confirmed e.g. by the fact that since August – November 2016¹ the amount of Latvian archaeological artifacts traded by eBay (there is a suspicion that large proportion of traded artifacts is considered to be protected and they are traded illegally) tends to decrease substantially. The eBay, for sure is not the only one (although probably the largest one) trading platform for archaeological artifacts, and the illegal trade could also be influenced by activity of the law enforcement agencies. To some extent the illegal trade can be affected also by the cyclicity of obtainment and trade of the artifacts, e.g. it is more complicated to make excavations in winter time as the soil is firm, so the artifacts are more difficult to extract.²

It is important to mention that many sellers of archaeological artifacts knowingly restrict (using corresponding technical options) Latvian users from seeing full information on archaeological artifacts traded by eBay. Therefore, one and the same eBay webpage view from Latvia and, e.g. the USA significantly differs. The webpage available for the US located users contains much more information on archaeological artifacts on sale. Probably this kind of restriction is used to prevent

¹ The catalogue was made publicly available at the end of June 2016. eBay webpage was viewed in August 2016 (total number of antiquities located in Latvia) and then in November 2016 (number of “Viking” antiquities located in Latvia).

² Cold weather does not always discourage the looters since large-scale illegal excavations in Latvia have been made in January–March 2015.

Latvian controlling institutions from undisturbed observance of the corresponding information. The other related reason could concern the size of the antiquity market, since the US market is much bigger than the Latvian one.

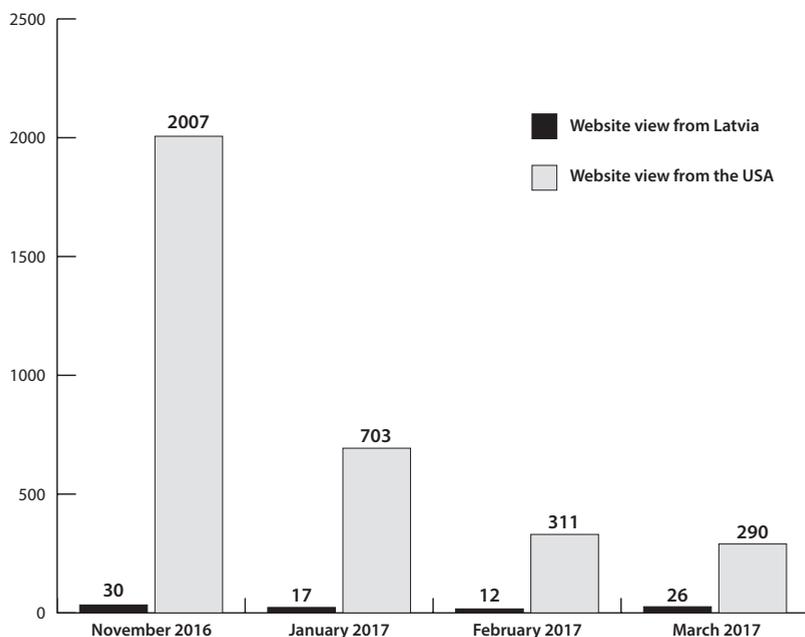


Figure 3. Latvian archaeological artifacts on eBay.¹

Further steps

It should be understood that awareness raising itself is most probably not enough to ensure protection of the archaeological heritage; moreover, there will always be individuals who for one or another reason would continue their illegal actions regarding damaging archaeological sites and looting possibilities of

¹ The total number of objects in the corresponding webpage of eBay (for November 2016, January, February and March 2017: Antiques > Antiquities > Viking > Located in Latvia) is indicated. Information on eBay webpage has been viewed from Latvia and the USA on one and the same webpage on one and the same date. Most objects according to their appearance and sometimes according to description provided relate to protected Latvian archaeological artifacts (moreover – all the Viking age artifacts are considered to be protected in Latvia since according to law, turnover restrictions apply to artifacts dated until the 17th century inclusive). On 10 August 2016 the total number of Latvian antiquities (most of them were indicated as “Viking”) on eBay (Antiques > Antiquities > Located in Latvia) was 154 (website view from Latvia) and 2430 (website view from the USA). It is complicated to count the precise number of artifacts traded in particular month since the number changes every day – that is why just the general tendency can be determined.

tracing history. Remembering that *justice without force is powerless*¹ and taking into account different factors affecting efficiency of protection of cultural heritage, it should be agreed that the combination of activities, including informational, law enforcement, legal, analytical, coordination, organization and cooperation is of true power. The activities involve:

- raising of understanding of cultural heritage's importance,
- raising of public awareness regarding cultural property protection,
- coordination of actions of controlling institutions,
- better co-operation between controlling and cultural institutions,
- developing of international cooperation (especially between controlling institutions),
- training for controlling institutions,
- involvement of NGOs and other related organizations,
- improvement of legal regulation,
- research activities, e.g. analysis of cases of unlawful obtaining and trade of archaeological artifacts,
- reducing opportunities of illegal trade of archaeological artifacts,
- developing practical recommendations for landowners, as well as owners/holders of archaeological artifacts.

Protecting archaeological heritage, we both respect the ancestors and think about the next generations. Taking this into consideration we probably can well adapt famous quote regarding protection of natural heritage to protection of archaeological and other cultural heritage: *we have not taken over cultural heritage from our ancestors – we have only borrowed it from our children.*

Abbreviations used

- ADC – Alūksne District Court (one of the district courts in Latvia)
CIS – Courts Information System
IC – Information Centre of the Ministry of the Interior
LEGATUM – Legatum Institute
LETA – Latvian national information agency “LETA”
LSM – news portal “Latvijas sabiedriskie mediji” (“Public broadcasting of Latvia”)
OECD – The Organisation for Economic Co-operation and Development
Police – State police of Latvia
SifHP – State Inspection for Heritage Protection of Latvia

¹ Justice without force is powerless; force without justice is tyrannical. Quote of Blaise Pascal (*Pensées*, 1660).

Sources

- Ambote, S. (2015). Par senkapu postīšanu pirmoreiz trīs personas saņēmušas reālu sodu. Ziņu portāls "Latvijas sabiedriskie mediji". Available: <http://www.lsm.lv/lv/raksts/latvija/zinas/par-senkapu-postisanu-pirmoreiz-tris-personas-sanemusas-realu-sodu.a157966/> (viewed 11.03.2017.)
- Brikmane, Z. (2016). Kultūras cilvēki pauž bažas par Latvijas senlietu iztirgošanu eBay un citviet internetā. LNT ziņas. Available: http://skaties.lv/zinas/latvija/sabiedriba/kulturas-cilveki-pauz-bazas-par-latvijas-senlietu-iztirgosanu-ebay-un-citviet-internetam/?utm_source=twitter&utm_medium=link&utm_campaign=social (viewed 11.03.2017.)
- Brodie, N. (2010). Archaeological looting and economic justice. In: P. M. Messenger and G. S. Smith (eds). *Cultural Heritage Management, Policies and Issues in Global Perspective*. Gainesville: University Press of Florida. Available: <http://traffickingculture.org/publications/brodie-n-2010-archaeological-looting-and-economic-justice-in-p-m-messenger-and-g-s-smith-eds-cultural-heritage-management-policies-and-issues-in-global-perspective-gaine/> (viewed 15.03.2017.)
- Brodie, N. (2015). The Internet Market in Antiquities. In: F. Desmarais (ed.). *Countering Illicit Traffic in Cultural Goods: The Global Challenge of Protecting the World's Heritage*. Paris: ICOM. Available: <http://icom.museum/resources/publications-database/publication/countering-illicit-traffic-in-cultural-goods-the-global-challenge-of-protecting-the-worlds-herita/> (viewed 19.03.2017.)
- Brodie, N., Doole, J., and Watson, P. (2000). *Stealing History: The Illicit Trade in Cultural Material*. Cambridge: McDonald Institute for Archaeological Research.
- Cabinet of Ministers of the Republic of Latvia regulation No 916, adopted 9 November 2004 "By-law of the State Inspection for Heritage Protection".
- Cohen, L. E., Felson, M. (1979). Social Change and Crime Rate Trends: A Routine Activity Approach. *American Sociological Review*. Vol. 44, No. 4 (Aug., 1979), pp. 588–608.
- Courts Information System (2017). Judicial statistics. Available: https://tis.ta.gov.lv/tisreal?FORM=TIS_STaT_O (viewed 11.03.2017.)
- Helmane, I. (2016). Senlietu mantračiem grib noteikt stingrākus sodus. Latvijas Vēstneša portāls "Par likumu un valsti". Available: <http://m.lvportals.lv/visi/likumi-prakse?id=283694> (viewed 20.03.2017.)
- ICOM International Observatory on Illicit Traffic in Cultural Goods. Latvia. Information Centre. Available: http://obs-traffic.museum/information-centre?search_api_views_fulltext= (viewed 12.03.2017.)
- ICOM. Red List catalogues and data base. Available: <http://icom.museum/programmes/fighting-illicit-traffic/red-list/> (viewed 23.03.2017.)

- Information Centre of the Ministry of the Interior (2011). Electronic service "Detection of the Status of Cultural Object". Available: http://www.ic.iem.gov.lv/ko_status/index.php (viewed 12.03.2017.)
- Information Centre of the Ministry of the Interior (2017). Criminal statistics. Available: <http://www.ic.iem.gov.lv/node/109> (viewed 11.03.2017.)
- Interpol. Works of art. Available: <https://www.interpol.int/Crime-areas/Works-of-art/Works-of-art> (viewed 23.03.2017.)
- Intervija ar Sandru Zirni un Alisi Šulti (2016). Ziņu portāls "Latvijas sabiedriskie mediji". Raidījums "Rīta Panorāma". Available: <https://ltv.lsm.lv/lv/raksts/26.07.2016-intervija-ar-sandru-zirni-un-alisi-sulti.id76880/> (viewed 11.03.2017.)
- Kairiss, A. (2016). Crime Against Cultural Property: Finding Solutions. In: *Przestępczość przeciwko dziedzictwu kulturowemu. Diagnoza, zapobieganie, zwalczanie*. Pod redakcją Macieja Trzcińskiego, Olgierda Jakubowskiego. Wrocław: Beta-druk, pp. 63–76.
- Kairiņš, A. (2015). Kultūras priekšmetu nelikumīgas aprites mazināšana: per aspera ad astra. In: *Kultūras krustpunkti*. Zinātnisko rakstu krājums. 7. laidziens. Rīga: Latvijas Kultūras akadēmija, pp. 61–74.
- Kairiņš, A., Šulte, A., Zirne, S., Lūsēna, E., Urtāns, J. T. (2016). Catalogue of Endangered Latvian Archaeological Artefacts. Rīga: Latvian Academy of Culture. Available: <http://www.lka.edu.lv/lv/petnieciba/petijumu-projekti/akademiskie-petijumu-projekti/apdraudeto-latvijas-arheologisko-senlietu-katalogs/> (viewed 23.03.2017.)
- Krauze, M. (2017). Senkapu aplaupītāji un muzejos neredzēti dārgumi internetā: policija sodīt nevar. Ziņu portāls DELFI. Available: <http://www.delfi.lv/aculiecinieks/news/sabiedriba/senkapu-aplaupitaji-un-muzejos-neredzeti-dargumi-interneta-policija-sodit-nevar.d?id=48446881> (viewed 11.03.2017.)
- Legatum Institute (2017). The Legatum Prosperity Index 2016. Available: <http://www.prosperity.com/rankings> (viewed 19.03.2017.)
- Nagle, G. (2016). Vandaļu bizness. Žurnāls "ir", #29 (326) 21.–27.07.2016. Available: <http://www.ir.lv/2016/7/20/vandalu-bizness> (viewed 11.03.2017.)
- OECD (2016). Better Life Index. Latvia. Available: <https://www.oecdbetterlifeindex.org/countries/latvia/> (viewed 19.03.2017.)
- Seif, A. (2015). Illicit Traffick in Cultural Property in Lebanon: A Diachronic Study. In: F. Desmarais (ed.). *Countering Illicit Traffic in Cultural Goods: The Global Challenge of Protecting the World's Heritage*. Paris: ICOM. Available: <http://icom.museum/resources/publications-database/publication/countering-illicit-traffic-in-cultural-goods-the-global-challenge-of-protecting-the-worlds-herita/> (viewed 19.03.2017.)

- Sprūde, V. (2015). "Krievu marša" organizētājs kļuvis par Latvijas vēsturē pirmo sodīto senkapu aplaupītāju. Ziņu portāls "Latvijas avīze". Available: <http://www.la.lv/krievu-marsa-organizetajs-sodits-ka-mantracis-senkapi/> (viewed 11.03.2017.)
- State Inspection for Heritage Protection (2015). Statistics. Data provided in September 2015 according to data request of Latvian Academy of Culture (invited researcher A. Kairiss).
- State Inspection for Heritage Protection (2015). Strategy for cultural monuments protection sector. Cultural policy guidelines 2014–2020 "Creative Latvia". Available: <http://mantojums.lv/lv/attistibas-planosanas-dokumenti/> (viewed 12.03.2017.)
- State Inspection for Heritage Protection (2016). Public report for year 2015. Available: <http://mantojums.lv/lv/publiskie-parskati/> (viewed 11.03.2017.)
- State Inspection for Heritage Protection (2016). Statistics. Data provided in July 2016 according to data request of Latvian Academy of Culture (invited researcher A. Kairiss).
- State police (2016). Statistics. Data provided in August 2016 according to data request of Latvian Academy of Culture (invited researcher A. Kairiss).
- UNESCO (2006). Basic Actions Concerning Cultural Objects Being Offered for Sale Over the Internet. Available: <http://portal.unesco.org/culture/en/files/21559/11836509429MesuresTraficIlliciteEn.pdf/MesuresTraficIlliciteEn.pdf> (viewed 19.03.2017.)
- UNESCO (2015). The fight against the illicit trafficking of cultural objects. The 1970 convention: past and future. Information kit. Available: http://www.unesco.org/fileadmin/MULTIMEDIA/HQ/CLT/pdf/2013_INFOKIT_1970_EN.pdf (viewed 19.03.2017.)
- UNESCO (2011). Report on the application of the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. Latvia. Available: http://www.unesco.org/fileadmin/MULTIMEDIA/HQ/CLT/pdf/latvia_2010-11natrep_1970_en.pdf (viewed 11.03.2017.)
- Vēsturisks spriedums Latvijā: pirmo reizi notiesā senkapu aplaupītājus. Nacionālā informācijas aģentūra LETA (2015). Available: <http://www.delfi.lv/news/national/criminal/vesturisks-spriedums-latvija-pirmo-reizi-notiesa-senkapu-aplaupitajus.d?id=46841069> (viewed 11.03.2017.)
- Vilcāne, V. (2013). Mantrači siro pa Latvijas vēstures pieminekļiem. Kā rīkoties, tos sastopot? Latvijas Vēstneša portāls "Par likumu un valsti". Available: <http://m.lvportals.lv/visi/likumi-prakse?id=257196> (viewed 20.03.2017.)

Yates, D. (2015). Illicit Cultural Property from Latin America: Looting, Trafficking, and Sale. In: Desmarais, F. (ed.). Countering Illicit Traffic in Cultural Goods: The Global Challenge of Protecting the World's Heritage. Paris: ICOM. Available: <http://icom.museum/resources/publications-database/publication/countering-illicit-traffic-in-cultural-goods-the-global-challenge-of-protecting-the-worlds-herita/> (viewed 19.03.2017.)

Legal documents

Draft law "Amendment of the law "Law on Protection of Cultural Monuments"" No 604/Lp12 submitted to the Parliament of the Republic of Latvia (2016). Available: [http://titania.saeima.lv/LIVS12/saeimalivs12.nsf/webAll?SearchView&Query=\(\[Title\]=*Par+kult%C5%ABras+pieminek%C4%BCu+aizsardz%C4%ABbu*\)&SearchMax=0&SearchOrder=4](http://titania.saeima.lv/LIVS12/saeimalivs12.nsf/webAll?SearchView&Query=([Title]=*Par+kult%C5%ABras+pieminek%C4%BCu+aizsardz%C4%ABbu*)&SearchMax=0&SearchOrder=4) (viewed 20.03.2017.)

Judgement of Alūksne district court, dated 30 November 2015. In force since 11 December 2015. Available: <https://manas.tiesas.lv/eTiesasMvc/lv/nolemumi> (viewed 11.03.2017.)

Law of the Republic of Latvia "Criminal Law". In force since 1 April 1999.

Law of the Republic of Latvia "Latvian Administrative Violations Code". In force since 1 July 1985.

Law of the Republic of Latvia "On Protection of Cultural Monuments". In force since 10 March 1992.

Law of the Republic of Latvia "State Administration Structure Law". In force since 1 January 2003.