

National University of Public Service
Doctoral School of Law Enforcement

Doctoral Dissertation
Thesis Book

Dr. Krisztina Eszter Hudák

**Preventing Illegal Exploration and Trafficking of
Archaeological Finds**

Supervisor:

Dr. habil. János Varga retired border guard colonel, associate professor
University of Public Service, Faculty of Law Enforcement
Department of Border Policing

Co-supervisor:

Dr. Zágón Csaba finance guard, lieutenant-colonel
senior lecturer
University of Public Service, Faculty of Law Enforcement
Department of Customs and Finance Guards

Budapest, 2022

PREVENTING ILLEGAL EXCAVATION AND TRADE OF ARCHAEOLOGICAL FINDS IN THE CONTEXT OF LAW ENFORCEMENT

The Description of the Scientific Problem

I define the research problem of the dissertation in that if I go around the topic, the illegal side of archaeological heritage protection, the issue of illegal exploration of archeological sites, and illicit art trade from all possible sides, if I separate, collect, and also analyze the material necessary for the analysis of the subject area including relevant scholarly literature in a unified manner, then how will be better visible better the problem, or those problems, that have caused today's deplorable archaeological heritage protection situation, and whose determination is a condition for moving forward, that is, increasing professional efficiency? I assume that until now, in Hungary, the prior knowledge acquired by the actors according to their jobs and occupations fundamentally influenced the opinions related to the causes and solutions of the problems of the topic (archaeology), and none of them are realistic. First of all, the lack of knowledge of the connections and the resulting false ideas and mistrust, as well as the overstretched work resulting from the ineffective structures and the consequent lethargy characterize the actors, who have had to, or should have, worked together to be effective. The task and capacity of the law enforcement actors are primarily reduced to the full enforcement of the laws. Even a police officer dealing with these matters in a full-time job has a patchy knowledge of archaeology naturally. In addition to a precise understanding of the legislation, they have the practical knowledge essential for successful work. Similarly, the archaeologist sees only his side and understands less about the policeman's work and aspects. Finally, representatives of the side of jurisprudence, judges, specialized jurists, and advocates also naturally know and understand the legal contexts of the topic. However, the illegal art trade is such a complex activity with many links to organized crime, sometimes deeply embedded in it through money laundering, where – recognizing the challenge - we are looking for effective, legal, complex, multilateral answers from many actors to a complex problem that circumvents the legal order.

Research Objectives and Hypotheses

The doctoral dissertation aimed to analyze, evaluate, and systematize all the basic knowledge on the topic and try to capture it in one place so that this knowledge can bring different approaches to a common denominator. It can form the basis for a theoretical step forward, i.e., the conceptual and content development of a thematic law enforcement policy.

Based on the scientific problem and the questioning, the hypotheses that I prove in some chapters of the dissertation, or at least in part, can be formulated (if the method or the amount of the available data does not allow a scientifically based resolution, or it is only partially allowed). After systematically analyzing the available information, I also examine what kind of new, systematic results are obtained from the hypotheses.

- H1: My first hypothesis is that the illegal art trade is a network phenomenon. The routes of the international illicit art trade partially or entirely cover the ways of the global illicit arms and drug trade.
- H2: According to the second hypothesis, the Western Balkans is one of the most critical international illegal trade routes, supplying everything for which there is solvent demand. In addition, it is not an actual state of affairs that the route to Scandinavia and Western Europe will not affect Hungary in any way. Some of the works of art intercepted at the Hungarian state borders and on Hungarian territory indicate that Hungarian roads are also used to transport works of art.
- H3: According to the third hypothesis, illegal collectors and their suppliers are not necessarily part of organized crime in Hungary. They may also have connections with them or live a lifestyle of organized crime, although this is not typical. According to the second part of this hypothesis, the domestic illegal art trade may be interested in transit traffic, and domestic customers can also be engaged. Foreign collectors and suppliers have been and are present in Hungary. Hence, the illicit traffic in art and antiquities is at least as tied to the international market as it is to the domestic market, and it has clear but not permanent links with transnational organized crime.
- H4: The fourth hypothesis on the internet sale platforms and cybercrime state that the use of cybercrime (auction sites) falls into the category of cybercrime in all cases, whether an individual seller or a criminal group sells an illegally owned archeological object. The property damage is done to the detriment of the Hungarian State through the quick, anonymous sale.
- H5: The fifth hypothesis points out that Hungary's current cultural heritage protection system needs to be developed to detect abuses of cultural property more effectively and have a more successful network analysis, interception, and proof of illicit art crime.

After the detailed analysis and evaluation of the topic and scientific problems of the dissertation, I present again the most important results of the study and the results concerning the verifiability of the hypotheses in the summary chapters. In these chapters, I also summarize my suggestions and recommendations for the law enforcement policy, which serve the interests of improving and further developing the current system.

Research methodologies and methods used to review the scholarly literature

The dissertation contains several individual studies because the domestic aspects of the topic had to be integrated into the international contexts. Several difficulties had to be overcome during the research. Starting with the fact that there was hardly any scientific literature available on this topic in Hungarian; that is, almost everything, the data had to be collected primarily from foreign literature, and the methodology mastered, and then in the second step, the Hungarian material had to be adapted to. Therefore, during the Hungarian research, I used and relied on Hungarian oral sources and anonymous data, too. The origins of these data could often not be given due to the efforts of the data protection of persons making their statements. In addition to the systematic collection of literature and the numerous oral information, I relied heavily on databases and repositories accessible with the help of the National University of Public Service, Central Library. In my articles completed in the past years, and in this doctoral dissertation, I have processed several foreign kinds of literature, contents, and methodologies unknown to Hungarian scientific literature.

After a detailed examination and systematic collection of relevant data collected by representatives of several disciplines in several ways, I have outlined the data conglomeration that I had to systematize. The processing of this conglomeration is suitable for formulating my emerging hypotheses and for the most important conclusions drawn from the data. Thus, raising the scientific theories themselves was only possible after a preliminary, more serious collection work. Therefore, I intend to prove the hypotheses formulated in the introductory chapter with the help of the collected data or reject them in the absence of evidence. Among the working methods I use are the processing of the Hungarian and international scholarly literature, the analysis of documents, the preparation of interviews with the persons involved in the topic, the editing of the questionnaire related to the issue, and the statistical analysis of the received answers should be highlighted.

International contexts

In the chapter on the international contexts of the illegal trade in works of art, I use different methods from five disciplines, military science, police science, international law, 20th-century history, and archeology (protection of archaeological heritage), which are applicable together due to the complexity of the topic. Therefore, the international scholarly literature used in this chapter also reflects the diversity, primary literature, and methodology of these five sciences. The approach of the dissertation, which I hope goes beyond the own questions and methods of each before-mentioned discipline, is a kind of experiment which wants to form a bridge between professionals dealing with archeology, history, heritage protection, law enforcement, military science, and heritage protection, to make them cooperate and communicate to solve a global problem.

Illegal excavation of archeological artifacts (objects older than 100 years according to the most widespread international regulations, or older than 1711 according to Hungarian legislation), furthermore the illegal excavation of archeological finds of archeological sites (archaeological artifacts unearthed during excavation or fieldwork damaging and destroying the sites) and its international trade for financial gain is a rather complex problem.

On the one hand, it can be seen as a worldwide violation of individual and communal cultural identity. It, therefore, cannot be examined solely from an archaeological, law enforcement, or criminal law perspective alone.

Following the explosive spread and technical development of metal detectors since the 1960s, but especially approximately since the turn of the millennium, the looting of archaeological sites and the unique Archaeological finds stolen from the areas tend to become either directly in possession of private collectors or enter the network of the illegal art trade. In rare cases, discoverers of the finds do not recognize their value and use them as everyday objects.

According to international regulations, the mass abduction of archeological artifacts (older than 100 years) can be linked to several well-defined historical events of the 20th and 21st centuries. The first significant artifact crisis occurred after 1945 due to the mass looting of artifacts by the warring parties during World War II. Some of the artifacts taken from the Jews have not been returned to the heirs to this day. The second major artifact crisis began during the 2003 Iraq war with the looting of a museum in Baghdad containing the irreplaceable treasures of ancient Mesopotamia, then in 2011 in the countries affected by the Arab Spring sequence of events, and after 2014 in areas controlled by the Islamic State. In the first two

decades of the 21st century, large quantities of artifacts began to travel through illegal channels to Western Europe and the United States. The trade-in of these artifacts has reached unprecedented proportions.

The mass destruction of movable and immovable cultural heritage in World War II made the process unavoidable which, by the turn of the millennium, had led to the increasing involvement of the armies of the warring states in military planning with the criteria of heritage protection. The conclusions of the events of World War II concerning heritage protection were drawn in the Hague Conventions in 1954. In this chapter, I will exemplify not only the U.S. military, which has made significant improvements to protect cultural heritage in war zones but also the associated U.S. government efforts and theoretical approaches, most notably in the first two decades of the 21st century.

The United States has an equally prominent role in UNESCO and NATO as a sort of 'flagship civilization,' which also impacts international heritage protection trends. In stopping organized and white-collar crime, with which archaeological heritage protection activities may come into contact, overseas contacts have also been made through experts from U.S. institutes working in Europe. Today, archaeological heritage protection has become a priority in military strategic planning. The U.S. Army, a leading institution in this regard, employs archaeologists and heritage conservation experts. The army is further engaged in the monitoring of the state of condition of the archaeological sites situated in the territories of the weakened states from the point of view of heritage protection with satellite remote sensing methods, in cooperation with the U.S. and other international organizations to assist the work of local authorities.

My analyses, which use data from international scholarly research, have also shown the following priorities in recent years from the security policy point of view: preserving and strengthening the cultural identity of the population of the so-called weak or failed states (affected by wars and riots), stabilizing the conditions of their cultural heritage, further the detecting and preventing of mass illegal art trade starting from the weak states through international programs and strategies. The decline in the capacity of fragile states to assert their heritage is a security policy risk that can be identified through risk analysis and reduced by reducing risk factors.

Illegal trafficking is detected and eradicated by law enforcement means. The scale of related crimes (theft, looting of archaeological sites, money laundering, fraud, forgery of documents) is diverse, and their detection requires extensive international cooperation and the participation of several experts. The acquisition of the essential art historical and archaeological information for law enforcement agencies (e.g., to detect counterfeits, to identify stolen

archaeological finds to determine their possible source country) is necessarily carried out with the help of independent, civilian experts and non-governmental organizations.

I also pointed out that the basic level, but periodically recurring, direct archaeological heritage protection training of selected law enforcement personnel is an essential task so that they can ask the right question to the civilian expert (who is not involved in the details of the investigation) or even to the accused, further that they can recognize and filter out archaeological finds.

The complex challenges of war and other crimes against national cultural heritage, the universal cultural heritage of humankind as a whole, are only worth responding to in a complex and multi-stakeholder way. I analyzed the responses; Thus, the start of securitization processes in cultural policy, the appearance of heritage protection specialists in the army, and closer cooperation between law enforcement agencies and civil authorities, organizations, and experts in criminal intelligence.

Further responses from legally operating art dealers and auction house owners to monitor auctions, remove artifacts of suspicious origin from the offer for sale, bring restitution issues to the forefront of international lawyers, facilitate the return of stolen artifacts, furthermore the promotion of crime prevention through appropriate communication strategies by NGO-s.

Since the second artifact crisis, the scale of illegal trade has risen even more, and the COVID epidemic also impacts pricing. Archaeological finds have often become expensive and valuable objects of prestige and investment. It is noteworthy that approximately in the latter five years, the role of Chinese investors and collectors in the art market has been exponentially growing.

According to the first hypothesis, the illegal art trade is a network phenomenon, and the routes of the illicit international art crime partially or entirely cover the ways of the global illegal arms and drug trade. To verify the hypothesis, I used the results of 21st-century network theory (Albert-László Barabási) and criminology (Jay Albanese), as the methods and questions of the two disciplines are perfectly suitable for describing the studied process on a theoretical level. The hypothesis is also plausible based on a Bulgarian case study (Marina Tzvetkova) detailing one or more illegal art trade networks with many actors. The hypothesis could be supported by a well-documented set of facts in the international literature and by the investigations of Interpol and Europol (e.g., the SOCTA report), which called attention to illegal trade in the Near East following the second artifact crisis, and in particular for the Islamic State's illicit arms and art trade activity.

The examined international scholarly literature ranked the illegal trade of artifacts (which Interpol classifies as organized crime) on the order of magnitude immediately after the drug and arms trade. The case study presented in Mali on a precedent-setting lawsuit against a terrorist leader and several other data suggests that criminals (persons, groups, and networks) can be reached by detecting crimes against cultural heritage, e.g., damage to archaeological sites, damage to historic monuments or the illegal trade of art treasures. These criminals deal not only with the illegal trade of archaeological finds but also terrorism and the illicit trade of drugs and arms.

My main suggestion and the recommendation was the development and operation of archaeology - art history training for law enforcement agencies, as exemplified by perhaps the only good best practice, the Italian Carabinieri Art Squad, recognized for its successful work. They belong to the army but perform art treasure law enforcement duties and receive thorough training in archeology and art history.

National contexts

In Chapter 2 on the national contexts, I rely primarily on current legislation and its antecedents, as well as publications by archaeologists, historians, and lawyers, going beyond and rethinking the results of previous research at several points. Using the methods of three disciplines (history, archeology, and political sciences), I outline the legal and institutional frameworks for the protection of archaeological heritage, as well as the networks of archaeologists, legal (= “museum-friendly”), and illegal metal-detector users. Without the knowledge of these networks, the operation of other networks of illicit treasure art trade in the Hungarian environment cannot be interpreted substantially.

Similarly to Chapter 1, I present the regulations on the protection of works of art in Hungary after 1945 (from the period of the Cold War onwards), the statutory decrees (decrees which rose to the force of laws) on the protection of cultural heritage, some notorious crimes related to art theft, and the operation of state security organizations. This chapter is related to the international history of protecting works of art on several points because the international conventions presented in Chapter 1 have been incorporated into Hungary's legal system.

The provisions of the statutory decrees before the change of the Communist regime have been taken over and further developed by Act LXIV of 2001 (Act on the Protection of Cultural Heritage), which is currently in force. The current system of protecting archaeological heritage and works of art results from a very long process.

The presentation of the treasure crimes committed before the change of regime (e.g., the smuggling of the Seuso Treasure to the West or the 1973 burglary of the Aquincum Museum) and keeping in the focus of public attention is essential and relevant even today because these crime cases have remained mainly unsolved. Archaeological finds that have illegally been transported out from Hungary may still essentially be in the hands of art dealers or collectors. Compared to other crimes, the well-documented history of the Seuso Treasure case can be used as a good example and case study to understand better the network and personal contacts of art dealers and collectors known by name.

I have examined in detail the most crucial legal regulation of the protection of cultural heritage in Hungary today, the Act on Protection of Cultural Heritage, and the implementing decree in force. I dealt only with the law's archaeological heritage (site protection) and artifact protection aspects. Still, I also covered the definition of cultural goods and the sanctioning of violations of the law committed to the detriment of cultural heritage elements. I then outlined the downsides and inconsistencies of the three-pillar heritage protection conception of the law.

Presenting the institutional changes, I analyzed that the advocacy capacity of Hungarian cultural heritage protection was significantly weakened by the continuous transformation and fragmentation of the institutional system between 2012 and 2021. Instead of the mid-level governing bodies (Office for Cultural Heritage Protection, Forster Center) removed from the sectoral administration of the then existing ministry of culture and abolished in 2012 and then in 2016, there was no need for an archaeological central governing body at all until 2021 when a new department of Hungarian National Museum was planned for this purpose (National Institute of Archeology).

The chapter on the national heritage protection system confirmed that the central artifact (cultural goods') protection authority (currently known as the Department of the Artefact Protection Authority of the Prime Minister's Office) was established for the protection of the cultural goods (archeological finds) is a central node in the network of the Hungarian heritage protection institutional system, whose circumvention is not possible, or only hardly possible. It would be necessary and efficiency-enhancing not only from the point of view of artifact protection authorities but also from the point of view of law enforcement if there were an authority dealing with archaeological matters at the system level, even within an independent archaeological artifact protection office. The current authority consists exclusively of art historians who do not deal with archeology and deals with archeological finds only in ad hoc cases.

After reviewing the current system from an archaeological point of view and identifying the weak points, I pointed out the advantages of establishing an Archaeological Artefact Protection Office to detect more systematically and repress the illegal trade of archeological finds. This office was briefly mentioned in a Governmental Resolution issued in 2018, establishing the National Archaeological Strategy. Then I compared the facts of crimes in the Hungarian penal code (Btk.) against the order of public administration and property (misuse of cultural property, theft, misappropriation, vandalism, money laundering) with the heritage protection legislation regulating illegal excavation and trade and with the concept of organized crime in domestic criminal law, taking into account international examples. Heritage and criminal law can be used together to deal with illegal metal detector users looting archaeological sites.

The detailed subchapter on metal detector users is not without precedent, as archaeologists have previously written papers on metal detector users and public archeology. Some of their statements could already be relied upon while writing the chapter. However, in addition to the archaeological heritage protection approach of the archaeologist authors, the chapter I wrote also took into account criminological aspects (e.g., profiling of metal detector users) and criminal law aspects (the issue of the provability of crimes and their connection to organized crime). I examined models of public archaeology completed in cooperation with museum-friendly metal detector users (who also collaborate with the authorities) and archaeologists, taking into account the importance of crime prevention.

The examination of the data collected in the 2nd Chapter on the national contexts, the drawing of conclusions, and the more systematic proposals for the increased protection of cultural goods of the archaeological age and the archaeological finds themselves are already transferred to the 3rd Chapter dealing with law enforcement issues. Several statements in Chapter 3 are based on the results of Chapter 2.

Law Enforcement contexts

Chapter 3, which presents the law enforcement contexts of the fight against the illicit art trade, begins with an introduction to law enforcement theory. I proposed creating a new heritage protection law enforcement approach that would apply the methodology of archeology, cultural heritage protection, and police science together. After the theoretical foundation, I continued to explain the topic by examining specific cases and presenting three supply chains using explanatory charts.

The first supply chain model shows the path of archaeological finds stolen by illegal excavation in Hungary through art dealers and other unlawful actors to their place of the last occurrence in the destination country, which will mostly be the private collection of a collector. For the reconstruction of the uncertain links in the supply chain, I took into account the models of the Bulgarian case study presented in detail in Chapter 1, which are well applicable to Hungarian conditions.

The second supply chain counts Hungary as a transit country and presents the path of the archaeological find from the source country to the destination or market country.

I presented **the third supply chain** in the chapter on the falsification of works of art, the falsification of archaeological finds, the Hungarian criminal law aspects of falsification, and the scientific investigations aimed at uncovering forgeries, which I dedicated to the topic of falsification. In this case, the starting point of the supply chain model is the forgery workshop, from where the counterfeit is traded (possibly with original archaeological finds) to the destination country, where the endpoint of the counterfeit is a collector, trader, or auction house, who could not recognize the forgery.

In presenting all three supply chains, I addressed the issues of material flow, cash flow, and information flow. I have examined these flows partly from the perspective of the illegal actors operating the network and the crimes they commit (e.g., misuse of cultural property, money laundering, fraud, forgery) and partly from the perspective of the legal actors trying to cripple the network.

In the following subchapter, I examined the role of the police in protecting cultural goods and archaeological sites and found based on the amended Act XXXIV of 1994 on the Hungarian Police. Special attention was paid to the Art Treasures Protection Subdivision of the National Bureau of Investigation of the Riot Police investigating archaeological matters, the operation of which was presented in the light of the relevant law enforcement scholarly literature and discussions with anonymous persons.

I proposed the efficiency-enhancing personal development of the Sub-Division. I presented the registration of cultural assets and artifacts in the HERMON Circulation System using the Circulation Act in force and instruction of the National Police Headquarters (in Hungarian: ORFK). I also touched on the virtues and shortcomings of the Unified Crime Statistics of the Investigative Authority and the Prosecutor's Office (in Hungarian: ENYÜBS) related to cultural assets of archaeological date.

In archaeological issues, multidirectional cooperation between the police and artifact experts is essential. I pointed out two critical nodes in the police network of trust: the role of

the Museum of Fine Arts, which deals with confiscated finds from abroad, and the Hungarian National Museum, which examines confiscated archaeological finds originating from Hungary.

Based on the provisions of the Police Act, I listed the border policing tasks that can be related to archaeological finds. This subchapter focuses on the definition of the criminal situation of crimes against cultural property through risk analysis and the applicability of risk analysis models in border policing, in particular the Common Integrated Risk Analysis Model (CIRAM) and the degree of threat and vulnerability.

In examining the essential tasks of the customs administration in protecting archaeological finds and cultural goods of the archaeological age, Act CXXII of 2010 on the Hungarian Tax and Customs Administration was the starting point for me. In addition, several complex issues were the subject of my research: risk effects, trends, forecasts, excitatory factors, Electronic Road Traffic Control System (EKÁER in Hung.) and transit traffic filtering. I have identified the typical types of cargos and goods that financiers of the Hungarian Tax and Customs Administration may encounter most often during customs control or in-depth inspections.

In this chapter, I also formulated the need for the archaeological and cultural heritage protection training of finance officers belonging to the framework of police science. I consider it extremely important that the financiers participating in the proposed advanced training can see objects in an uncleaned or unrestored state because they will have a high chance of meeting them in this condition during their work.

According to my second hypothesis, one of the essential international illegal trade routes passes through the Western Balkans, transporting everything for which there is solvent demand. In addition, it is not probable that the route to Scandinavia and Western Europe should not affect Hungary in any way. Some artifacts captured at the Hungarian state borders and on Hungarian territory indicate that Hungarian roads are also used for illegally transporting artifacts.

The hypothesis of smugglers arriving from the Balkans and traveling to Western Europe is mainly based and supported on newspaper news and scholarly literature partly processing newspaper news. There are also data on a smuggling route to the east; in their destination countries, there are capital-intensive Ukrainian and Russian collectors who are happy to acquire archeological finds in addition to icons.

According to my third hypothesis, illegal collectors and their suppliers are not necessarily part of organized crime in Hungary. They may also have relationships with them or may themselves be living a lifestyle of organized crime. The Hungarian illegal antiquities trade

may not only be interested in transit traffic but may also have domestic players. Foreign collectors and suppliers have been and are present in Hungary. Hence, the illicit traffic in art and antiquities is at least as tied to the international market as it is to the domestic market, and it has clear but not permanent links with transnational organized crime.

This part of the hypothesis is difficult to prove because the information on which the evidence is based primarily originates from the narratives of museum-friendly metal detector users and the observations of archaeologists watching foreign auctions; this information also finds its way into the scholarly archaeological literature. The case study from Bulgaria presented at the end of Chapter 1 demonstrates processes similar to those in Hungary but only indirectly supports the correctness of the hypothesis formulated for the Hungarian situation. The information on illegal metal detector users examined in detail in Chapter 2 may support the hypothesis that a group of domestic perpetrators in Hungary may supply goods to domestic and foreign unlawful customers. These metal detector users can be involved in the domestic chain of organized crime as suppliers.

However, all this is only secondary, unverifiable information. Even with the presentation of the case study on private coin collections, I could not thoroughly support my hypothesis, so I rejected it.

According to the fourth hypothesis, the use of internet sales platforms (auction sites) offering goods of illegal origin of archaeological age falls into the category of cybercrime in all cases, whether an individual seller or a criminal group sells an illegally owned archaeological find. The property damage is done to the detriment of the Hungarian State through the quick, anonymous sale.

To prove the hypothesis, I started directly with the Heritage Protection Act, which prohibits the commercialization of all archaeological finds in Hungary. Thus, it can be linked to the misuse of cultural property as a criminal offense committed in cyberspace. Indirectly I started from the National Security Strategy, formulated in 2012 and reworded in 2020, which calls for regular assessment and prioritization of actual or potential threats and risks in cyberspace. This is because online sales reach a much wider audience than if the seller offered the goods to a collector or a museum.

According to the fifth and final hypothesis, the current system of cultural heritage protection in Hungary needs further development for effective work in connection with the exploration of cultural goods of archaeological date, further for the practical analysis of networks, for the interception, but especially for proving art crime in court cases. To substantiate the hypothesis, I first presented important statements and priorities of the National

Security Strategy, which are also relevant for preventing the illegal trade of art treasures. Both priorities suggest cooperation between the various bodies to increase efficiency. Another necessary condition for increasing efficiency is the continuous improvement of the personal, material, and technical conditions attached to the activities of law enforcement agencies.

Accordingly, it can be stated that the threat to the archaeological heritage of Hungary can only be reduced through sectoral cooperation. In contrast, law enforcement communication to the public about the importance of archaeological heritage protection and site protection plays a vital role in securing heritage protection. The basis for this is to assess the problem - this is what this doctoral dissertation contributes.

Actions addressing the challenges to EU and NATO security must also include the study of the phenomenon of illicit trafficking in art treasures as a serious organized crime. The weakening of the state, or a segment of the state, always leads to the intensification of organized crime. One of the reasons for the weakness of our system of archaeological heritage protection is the fragmentation of the institutional system and the weakening of the advocacy capacity of archeology after 2012, which I wrote about in detail in Chapter 2.

The illegal activity, which can be described as a network phenomenon, can only be repressed effectively with a network of legal actors. Legal actors, authorities, professionals, and the general public need to be educated about the problem, and the specific situation and role of each of them need to be appropriately defined.

At the end of the dissertation, a self-administered, anonymous questionnaire was included in the appendix, the questions of which were exploratory perception research questions. My study focused on the knowledge of those who come into contact with archeology at any level about these particular topics. The topic is not a part of any university educational material. Still, scholarly articles and news in the archeological public discourse may have influenced the respondents' opinions. Preliminary empirical research on the topic is not known, so the problem statement and the results obtained - in my opinion - fill in the gaps.

Sampling was targeted: the questionnaire could be completed by individuals who were already involved in archeology in some way; the results are only representative of the respondents. The target group members were natural and legal persons who could come into closer contact with illegal archeological activity in Hungary today, including the illicit trade of archeological finds and objects, and can be reached and addressed by e-mail to the researcher.

The basic population of the questionnaire can therefore be considered heterogeneous because not only those respondents fall into this broad circle who pursued the same job as an occupation. The number of volunteer respondents to the questionnaire is 256, divided into three

significant subgroups (1. archaeologists, 2. civilian metal detector users, 3. lawyers, police officers, and professional soldiers). There were marked differences of opinion between the groups, making the different opinions and aspirations comparable. It was instructive that the differences between the responses were significantly influenced by who fell into what occupational category. In other words, negative stereotypes, sometimes prejudices, have been ingrained in every quasi-occupational category regarding specific issues and problems of archeology, which have fundamentally influenced opinion-forming.

Summarised Conclusions, Hypotheses

Illegal excavation of archeological artifacts (objects older than 100 years according to the most widespread international regulations, older than 1711 according to the Hungarian regulations) and archeological finds from archeological sites (unearthed during excavation and fieldwork) and their international trade for financial gain after damaging and destroying the sites is a highly complex problem. Therefore, the basis of my approach has been that although the whole problem complex could be examined exclusively from an archaeological, police science, or criminal law science approach, it is not worthwhile. None of these alone will bring about either positive changes, successful legislation, or the repression of the art crime phenomenon. Comprehensive knowledge of the illegal art trade as a system is needed to find reasonable solutions.

I dealt with the topic very consciously: in Chapter 1 on the international contexts of the illegal trade of works of art, I applied the methods of five disciplines, military science, police science, international law, 20th-century history, and archeology (archaeological heritage protection), which are different, but in the investigated framework they can be put together because of the complexity of the topic. In Chapter 2 on the national contexts, I rely primarily on current legislation and its antecedents and publications by archaeologists, historians, and lawyers, going beyond several points of the previous research results while complementing them further. I have explored the law enforcement contexts of the action against the illegal art trade in Chapter 3.

In the dissertation chapters, I set up and examined a total of 5 hypotheses. The first hypothesis (H1) was explored and confirmed. I corroborated the second hypothesis (H2). I rejected the third hypothesis (H3) due to hardly verifiable data. The fourth hypothesis (H4) can be considered confirmed. The fifth hypothesis (H5) can also be established.

In the appendix, I have analyzed the results of a questionnaire I distributed to a specific target group (interested respondents who come into contact with archeology at any level). The results of the questionnaire research confirmed several points outlined in Chapters 1-3. Chapters 1 to 3 showed a high degree of certainty about group opinions.

New scientific results as a summary of proven hypotheses and proposals for efficiency improvements

With regard to archaeological heritage, the last thirty years or so have seen an exponential increase in the number of objects entering the illegal market, placing an unbearable burden on the archaeological profession around the world, which has seen the destruction of cultural heritage taken out of its original, scientifically meaningful context, while also greatly increasing the amount of money that can be channelled into organised crime and terrorism, posing a serious security threat worldwide. The large quantities of archaeological finds from the Middle East and elsewhere that have been illegally transferred from states with weak institutions to rich countries have increased prices and demand on the black market, especially after 2003. More than ever before, artefacts have become a prestige commodity or investment item and forgery production has increased. Source countries are weak states where large-scale looting of sites is a breeding ground for the trade in stolen artefacts.

New scientific findings are as follows:

1) The shortcomings of the fight against illicit art trafficking are due to the dysfunctions of the state's institutional system and its anomalies (such as armed conflicts, oligarchic states, problems caused by economic crises, or just the lack of knowledge, the banalization of the issue and thus the diversion of resources from the sector, etc.).

2) The material flow system of the illicit trafficking of cultural objects forms a network. Still, its structure, functioning, and characteristics can be analyzed based on network science methods through a joint effort of law enforcement and antiquities organizations. A mutual correspondence of terminology between the three disciplines, i.e., law enforcement, antiquities protection, and network science, is necessary to understand and solve the problem.

3) The international illicit art trade pathways can be traced from press reports and academic publications related to detecting infringements. These also cover, in part or entirely, illicit international arms and drug trafficking routes. One of the most critical illegal international trafficking routes for artifacts, which also affects Hungary, approaches Western Europe and Scandinavia from the southeastern and eastern directions. The west-east flow can also be identified, solving the needs of Ukrainian and Russian collectors.

4) The detection of crimes against cultural heritage as a protected legal object, the destruction of sites, monuments or the illegal trade in artifacts can lead to the identification of perpetrators, groups, and networks who, in addition to the illicit trade of artifacts, are also involved in terrorism, drug trafficking, and arms trafficking, with at least partial overlapping of these business areas.

5) The use of e-commerce platforms (internet auction sites) has grown enormously in recent years. This falls into the category of cybercrime in all cases, whether by an individual seller or a criminal organization involved in trafficking the archaeological object or artifact of an illegal origin. The difficulty of proving raises one of the biggest challenges for the protection of antiquities.

6) Hungary's current cultural heritage protection system needs to be improved. To detect the misuse of cultural property more effectively, professional analysis of the network of persons linked to the infringements is necessary, which is essential for the apprehension of persons, the seizure of protected objects, and the success of proving the crime. This phenomenon reflects the specific nature of the protection of works of art and, consequently, the particular nature of problem-solving. The main weaknesses of the domestic archaeological heritage protection system identified in the analyses are the fragmentation of the institutional design and the weakening of the capacity of archaeology to defend its interests. The reason for the declination of the site protection comes from business interest risks that occurred during unexpected excavations at significant investment areas. The security mechanism of artifacts has never been strengthened because the Monuments Inspectorate did not prioritize the archaeological sector, and the well-thought-out three-pillar model of heritage protection was ultimately blocked.

7) For a better functioning Hungarian archaeological heritage protection in the future, a community archaeology approach is required with the involvement of trustworthy civilians trained for archaeological work. This can be achieved by creating a national database compatible with the heritage protection system, including reliability check references on the recorded individuals.

8) Based on my research, I have established that the law enforcement in art treasures forms an independent and specialized part of policing. This law enforcement sector has its conceptual scope (terminology) according to its specificities. The policing of archaeological artifacts by law enforcement in art treasures has specific problems. Therefore such a subject needs to be dealt with separately. A staff member with archaeological qualifications is a prerequisite for professionalism in the supervisory authority of artifacts.

9) The only effective way to combat illicit activity through a network pattern is through a network of legal actors. The legal operators, the authorities, the profession of art treasure protection, and the public must be aware of the problem, and their specific position and role must be adequately defined.

My most important suggestion and recommendation was the development and operation of archaeological – art historical trainings for law enforcement agencies. In the dissertation I proposed not only the further personal development of the Art Treasure Protection Subdivision and the further financial support of the crime detection activities there, but also the further training of the police officers as a trained human resource in the field of “illicit of antiquities trade”, cultural heritage protection and archaeology. It would be even better if the subject of Law Enforcement in Art Treasures, according to its weight, was included in the compulsory and not only in the optional courses in the law enforcement officer training. While it is primarily necessary to establish theoretical knowledge in the field of investigative work, it is important for financiers of the Hungarian Tax and Customs Administration to see objects in their uncleaned or unrestored condition, as they will have a high chance of encountering them in the course of their work.

I proposed the establishment of the Archaeological Artefact Protection Office, which was briefly mentioned in a Governmental Resolution issued in 2018, which formed the basis of the National Archaeological Strategy (which has not been implemented since). I have also delineated the proposed responsibilities of this future new authority in order to detect and repress the illegal trade of archaeological finds more systematically and to provide a central register of civilian metal detector users for their background control. Developing the effectiveness of crime prevention, applying the principles of the community law enforcement approach and establishing a system of public archaeology together can have a significant impact on improving the current situation in Hungary regarding illegal excavation and trafficking of archaeological finds.

***List of Publications of the Ph.D. Candidate in the Subject of the dissertation,
including publications in press***

- Hudák (2016a) Hudák, K. (2016a). Egy államhatárokon átívelő társadalmi probléma: A régészeti célú fémkeresőzés múltja és jelene Magyarországon. *Határrendészeti Tanulmányok* 13(1), 84-106.
- Hudák (2016b) Hudák, K. (2016b). Műkincsek az elmúlt húsz év háborús zónáiban. Hogyan vált biztonságpolitikai kérdéssé a kulturális örökségvédelem helyzete? In Bene K., Dávid F., & Sarlós I. (szerk.): *Fejezetek a hadtörténelemből 4. Válogatás „A háború művészete. 10 éves a Hadtörténeti esték” című*

- konferencia előadásaiból.* (pp. 63-77.) Magyar Hadtudományi Társaság. Budapest.
- Hudák (2017) Hudák, K. (2017a). Illegális műkincs-kereskedelem – nemzetközi trendek, rendészeti intézkedések és a jövő perspektívái. *Magyar Rendészet* 17(1), 65-75.
- Hudák (2018a) Hudák, K. (2018a). Megerősödő bűnügyi vonal a nemzetközi műkincsszakértői munkában. *Belügyi Szemle – Ordinem Facere* 1,37-47.
- Hudák (2018b) Hudák, K. (2018). A vámszakmai munka szerepe és fejlesztési lehetőségei a kulturális javak védelme érdekében. In Czene-Polgár V., & Zsámbokiné Ficskovszky Á. (szerk.), *Innováció, elektronizáció, tudásmenedzsment. Tanulmánykötet.* (pp. 131-149.) Magyar Rendészettudományi Társaság Vám- és Pénzügyőri Tagozata. Budapest.
- Hudák (2018c) Hudák, K. (2018c). Some notes on the Law Enforcement Concept of the National Archaeological Strategy of Hungary. *Specimina Nova Dissertationum ex Instituto Historiae Antiquae et Archaeologicae Universitatis Quinqueecclesiensis* 25, 133-149.
- Hudák (2019a) Hudák, K. (2019a). Néhány megjegyzés a Nemzeti Régészeti Stratégia rendészeti koncepciójával kapcsolatban. In Baráth N., & Mezei J. (szerk.), *Rendészet – tudomány – aktualitások. A rendészettudomány a fiatal kutatók szemével. Konferenciakötet.* (pp. 141-148.) Doktoranduszok Országos Szövetsége. Budapest.
- Hudák (2019b) Hudák, K. (2019b). Az Amerikai Egyesült Államok hadserege és a kulturális örökségvédelem kérdései a hidegháború befejeződésétől napjainkig – kötelezettségek, feladatok és lehetőségek hálójában. In Németh K. (szerk.), *Tavaszi Szél 2019 Konferencia. Nemzetközi Multidiszciplináris Konferencia. Absztraktkötet.* (p. 742.) Doktoranduszok Országos Szövetsége, Budapest.
- Hudák (2020) Hudák, K. (2020). Az illegális műtárgykereskedelem mint hálózat és logisztikai lánc elvi sémájának leírása. In Baráth, N., & Mezei, J. (szerk.), *Rendészet – Tudomány – Aktualitások – 2020. A rendészettudomány a fiatal kutatók szemével. Absztrakt kötet.* (p. 32.) Doktoranduszok Országos Szövetsége. Budapest.
- Hudák – Csaba (2020) Hudák, K., & Csaba, Z. (2020). A Brief Survey of Illicit Art Trade of Archaeological Finds in Hungary – in the Context of Customs Control. In Csaba, Z., & Szabó, A. (szerk.), *Közös kihívások – egykor és most. Tanulmánykötet.* (pp. 133-143.) Magyar Rendészettudományi Társaság Vám- és Pénzügyőri Tagozata. Budapest.
- Hudák (2022) Hudák, K. (2022). Magyarország szerepe a régészeti korú kulturális javak kereskedelmében. *Ünnepi kötet Vaday Andrea tiszteletére.* Eötvös Loránd Kutatóhálózat, Bölcsészettudományi Kutatóközpont Régészeti Intézet. Budapest. (in press)

Technical and Scientific CV of the Ph.D. Candidate

Dr. Krisztina Eszter Hudák was born in Budapest on July 16, 1975.

Education: She studied History and Archeology at Eötvös Loránd University (1994-2002, 1995-2003). She completed his MA program at the Faculty of Humanities in history with the teacher training program. Between 2002 and 2014, she completed the Medieval Universal

History Program of the Eötvös Loránd University, obtaining her doctorate *summa cum laude* in 2014.

Since 2015, she has been pursuing a second Ph.D. program at the National University of Public Administration. In 2015 she took part in the Doctoral School of Military Sciences training for a year and a half, then in 2016, she continued her studies at the newly established Doctoral School of Law Enforcement. Her Ph.D. dissertation topic was the illegal trade of archaeological artifacts and their domestic and international contexts. The title of the dissertation: *Preventing illegal explorations and trafficking of archaeological finds*, supervisors: Dr. habil. János Varga, retired border guard colonel, associate professor, and Dr. Zágón Csaba, finance guard lieutenant-colonel, assistant professor. On March 10, 2022, the workshop discussion of the dissertation took place successfully.

She completed four shorter master classes in antique porcelain, painting (2 courses), and antique glass counterfeiting held by Commission Store Company and the National Intellectual Property Office.

Language skills: She obtained a state intermediate C language exam in French and Spanish. She also speaks and reads English at an intermediate level, reads Italian and Portuguese.

Workplaces: Between 1997-2002 she worked at the Hungarian National Museum and between 2002-2005 at the Budapest History Museum as an archaeologist technician and then as an archaeologist.

Between 2005 and 2015, she was a full-time mother.

In the spring semester of the academic year 2018/2019, she was a guest lecturer for up to one class at the National University of Public Administration on the topic of Investigating the Illegal Trade in Archaeological Finds for a master's degree students in finance and economics.

From the autumn semester of the academic year 2021/2022, she has been the program leader of the special program Juridical Archaeology at the University of Pécs (in collaboration with the Faculty of Philosophy and the Faculty of Law). She was responsible for brainstorming and elaborating the program's education concept by adapting and expanding similar Anglo-Saxon training programs.

Scholarships: In spring 1999, she won an Erasmus scholarship in ancient history at the Universitat de Barcelona. In 2019-2020, she was awarded a New National Excellence Program stipendium in the doctoral candidate category (ÚNKP-19-3-IV-NKE-94). The title of her research topic: *The preparation of a material flow model of the illegal trade of art treasures in relation to archeological objects in Hungary*, under the supervision of Dr. Zágón Csaba.

Memberships in scholarly research organizations:

She is a member of the public body of the Hungarian Academy of Sciences since 2018. She is a member of the CIMIC Department of the Hungarian Military Society (Department of Civil-Military Relations) since 2018, the Hungarian Archaeological Association, the Hungarian Archaeological, and Art Historical Society, the Hungarian Hagiographic Society, the Hungarian Patristic Society since 2001, further the research group The Church of Christ in History within the Research Center of Pope John Paul II. of the Pázmány Péter Catholic University, which has been operating since 2020.