



# Exploring Overlaps of Cultural Property Crime with Organised Crime in EU Policy Documents

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## Abstract

In recent years the interrelation of the trafficking of cultural property with other forms of organised crime has gained prominence in EU policies on the protection of cultural heritage. This article analyses how the EU has conceptualized and operationalized this overlap in terms of describing the phenomenon and designing countermeasures. Through a content analysis, we evaluate the articulation and use of this connection in EU policy documents published from 1993 to 2023 that include both organised crime and trafficking of cultural property or similar terms ( $n = 58$ ). The analysis demonstrates conceptual and organizational deficits and a correspondingly weak foundation for EU policy. Misunderstandings related to the organised nature of trafficking of cultural property and its overlaps with other forms of organised crime, particularly the financing of terrorism, may result in misguided policies with the potential to undermine law enforcement efforts. Conversely, the addition to the list of obliged entities and persons in the anti-money laundering framework of persons trading or acting as intermediaries in the trade of works of art opens new opportunities to disrupt the illicit financial flow in the art and antiquities market.

**Keywords** Organised crime · Cultural property crime · Terrorist financing · EU crime control policy · Securitisation · Money laundering

## Introduction

Since the 2000s, supranational bodies, policymakers, law enforcement actors and advocacy groups have stressed the role organised crime plays in the illicit trafficking of cultural goods (hereinafter TCG) (see, e.g., UNESCO, 2018; Chechi, 2019; Blake, 2020; Yates, 2021; Interpol, 2021, 2022; Clooney Foundation for Justice, 2022). This viewpoint gained traction in the early to mid-2010s, when global concern was raised due to the connection between the TCG and the financing of terrorist activities in conflict

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areas of the Middle East (De Bernardin, 2021; FATF, 2015, 2016, 2023; Interpol, 2022; Jones, 2018; Musu, 2023). The alleged connections of terrorist financing with money laundering, sanctions evasion and tax fraud reinforced the characterisation of TCG as a form of organised serious crime (Ulph, 2011; De Sanctis, 2013; Van Duyne et al., 2014; Yates, 2016; Mackenzie, 2020; US Senate, 2020; Baranello, 2021; Yates & Mackenzie, 2021). Other illegal activities usually committed by organised criminals in relation to the TCG mentioned in the academic and grey literature include<sup>1</sup> trafficking of drugs, persons, organs, arms, gold, oil or wildlife (Bowman, 2008; Dehouck, 2019), corruption of police or customs agents, civil servants and professional experts (Shelley, 2014; Brodie et al., 2019), and forgery and fraud involving cultural property (Charney, 2015; Europol, 2021).

The EU has fully adopted this perspective on the nature of cultural property crime. Falling under organised property crime as part of EMPACT 2022 – 2025,<sup>2</sup> TCG is one of the EU's priorities in the fight against serious and organised crime, to the point that the current EU Action Plan against Trafficking in Cultural Goods was adopted allegedly as part of the EU strategy on organised crime (Commission, 2022a: 1). In spite of this association, some voices warn that there is no inherent relation between organised crime and TCG (Brodie et al., 2019; Howard et al., 2016), while the potential links to other forms of trafficking, corruption, money laundering, terrorism and terrorist financing remain highly contested or understudied (Eber et al., 2022). Many scholars denounce that the emphasis on the organised crime nature of TCG, widespread among supranational bodies and policymakers, is producing misguided legislation, which fails to acknowledge the diversity of trafficking scenarios and configurations (Balcells, 2016), obscuring the complexities of a market which is not completely licit nor illicit (a 'grey' market, see Mackenzie & Yates, 2017; Oosterman et al., 2021).

In this debate, there is no overview of the relevant European policy instruments that contain clauses calling on Member States to take organisational and preventive measures or to impose penalties or administrative sanctions on persons responsible for organised crimes relating to cultural property. Nor has it been studied why the EU has largely overlooked the question of the interface between organised crime and TCG, or how the link came to appear. This article intends to address this gap. Our main aim is to assess whether EU policy-makers have identified the overlaps between organised crime and cultural property crime with sufficient rigor to support a common understanding of the problem and to develop adequate measures to improve European policy on the protection of cultural heritage.

To answer this question, the paper proceeds as follows. The next section delves more thoroughly into the discussion on the organised nature of TCG and its links to other forms of organised crime, briefly showing the state of the art. The second section presents the research design. The third section shows the results of the content analysis. Discussion follows in the fourth section. The fifth and last section offers concluding remarks.

<sup>1</sup> We do not mention in this list smuggling and other violations of customs provisions or the falsification and tampering of documents. The Council of Europe Convention on Offences relating to cultural property (Nicosia Convention) considers them directly cultural property crimes, to the same level of unlawful excavation and removal, acquisition, or placing on the market. See Balcells (2014a).

<sup>2</sup> EMPACT (European Multidisciplinary Platform Against Criminal Threats) is a security initiative driven by EU Member States to identify, prioritise and address threats posed by organised and serious international crime.

## Setting the Frame

The debate on the organised crime character of the TCG and related offences has been salient in the last decade. In many cases there is evidence that organised criminal groups are involved at all stages of the illicit trafficking (Proulx, 2011; Campbell, 2013; Chechi, 2019; Brodie et al., 2019): directing looting, moving objects from archaeological sites to local markets, stealing art pieces from private owners and museums, exporting objects from the country of origin, interfacing with the professionals of the international art market, and so on. Terrorist groups are said to be generating income from engaging directly or indirectly in the looting and smuggling of cultural heritage items from archaeological sites, archives, museums, libraries, and other sites, while at the same time destroying and damaging those cultural objects and artworks that offend their religion. We positively know that armed conflicts increase looting activities in the territories at war (Hardy, 2015).<sup>3</sup> Moreover, there is also evidence of the use of the same trade routes and networks for different illicit goods (Brodie et al., 2019; Sargent et al., 2020). The link between the illicit TCG and other types of organised crime is further substantiated by the well-known effects of money laundering activities in the art and antiquities market (Van Duyne et al., 2014; Brodie & Yates, 2022; Stoll, 2023). In fact, money laundering, terrorist financing, sanctions evasion and tax fraud are facilitated by common business practices in this market, such as the use of cash payments and free ports (Grier Saleeby, 2023; Korver, 2018), withholding identifying information of beneficial owners on both the supplier and the buyer sides of a transaction (Burroughs, 2021), or the offer of tax benefits for donations of antiquities and artworks to museums (Mackenzie, 2020; Yates, 2016).

However, a significant number of authors highlight that empirical data of the involvement of organised crime in TCG are scarce, and in many cases relatively site-specific and anecdotal (Balcells, 2014b; Bull, 2016; Greenland, 2021; Sargent et al., 2020). Regarding the intersections between terrorist financing and TCG, it has been noted that most of the so-called 'evidence' is quite 'soft', mainly based on headline-grabbing media reports (for instance, those by Kohn, 2014; LaFranci, 2015; Lehr, 2018), interviews (as the ones conducted by Sargent et al., 2020) and grey literature (UN Security Council resolutions, Interpol reports), which in some cases explicitly acknowledge the lack of data. Furthermore, although there is ample proof that different terrorist organisations regularly and purposefully destroy cultural heritage, including archaeological sites, the scale of looting, trafficking and the amount of money generated from these activities is still unclear, as well as the precise nature of terrorist groups' involvement in these activities (Brodie et al., 2019). For instance, many authors share the analysis that ISIS/Da'esh did not systematically or fully exploit the funding potential of looting and trading in antiquities and cultural goods (Dehouck, 2019). And even if this were so, there is not enough evidence to generalise the ISIS/Da'esh case and conclude that these activities significantly contribute to funding terrorist and armed non-state actors and to prolonging armed conflicts (Pryor, 2023).

Given this controversial state of things, our analysis is meant to show how EU policymakers understand the relationship between TCG and other forms of organised crime, exploring the growing identification of the former as a particularly hideous form of serious organised international crime, which will allow us to calibrate whether the foundations of EU policy regarding TCG are solid. Our interest is shared by many scholars who view

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<sup>3</sup> The fact that both internal and external armed conflicts are fertile ground for organised crime, including TCG, is already well known since the Second World War (Brodie, 2003; Campbell, 2013; Howard et al. 2016; Pryor, 2016).

with concern that the protection of cultural heritage has gradually become part of the international security policy agenda, especially in light of the armed conflicts of recent years – most notably in Iraq and Syria – (Berg Christensen, 2022; Russo & Giusti, 2019), with preoccupying consequences for the fight against this form of illicit trade (e.g., Foradori et al., 2018; Lostal, 2020; Puskás, 2019). The present paper distinguishes itself from these works for: 1) its novel focus on other forms of organised crime—beyond war crimes, terrorist financing and terrorism -, and 2) its systematic content analysis.

## Research Design

In this paper, our aim was to assess the rigor with which the EU policy community has identified the interrelations between TCG and organised crime. We analysed documents published since the foundation of the EU in 1993 through 2023. We considered either EU treaties, directives, decisions, framework decisions, regulations, formal policy statements (such as communications and conclusions), reports and reviews of the Council of the European Union (later European Council), the Parliament, the Commission, Eurojust, Europol, Frontex and the European Public Prosecutor's Office (EPPO). The policy documents of the seven EU bodies provide complementary substantive perspectives. Within the EU's complex architecture, the Council of the European Union (hereinafter Council), the European Commission (hereinafter Commission) and, since the entry into force of the Treaty of Lisbon in December 2009, the European Council and the European Parliament come closest to representing the executive and legislative power of the EU. Europol and Eurojust are the two main EU agencies responsible for crime control and internal security, playing a crucial role in supporting operational cooperation. Frontex, which coordinates the European border management, also plays a part. The EPPO is an independent office in charge of investigating, prosecuting and administering justice for crimes against the EU budget. As a practical matter, we used EUR-lex (<https://eur-lex.europa.eu/homepage.html?locale=en>) and the agencies' websites to search for relevant documents.

We created one dataset (see online appendix) which includes all EU policy documents produced by the seven aforementioned EU bodies containing the terms 'organised crime' or 'serious crime' that were published between 1993 and 2023 (Appendix 1 and 2). We duly considered that in recent years the use of the term 'organised crime', once predominant in EU policy, has declined in favour of 'serious crime', which has gained prominence in the field of justice and home affairs (Paoli et al., 2017). 'Serious crime' is used sometimes alone and more often in combination with 'organised crime', as 'serious and organised crime' or 'serious forms of organised crime'. Neither term is clearly defined in the key EU documents in internal security (Calderoni, 2008; Paoli et al., 2017). Although they are not synonyms -serious crime is not always organised and mafia-like, but most often disorganised and mutable (Bigo et al., 2017)-, and neither of them implies per se an international or cross-border component, EU policy documents refer to them in a wide variety of ways that infer organisation, seriousness and internationality. Therefore, terms we sought in the research include combinations such as 'transnational organised crime', 'organised and serious international crime', 'serious organised crime', 'serious organised cross-border crime', 'serious international organised crime', 'serious forms of organised crime', 'serious and organised crime', 'serious crime activities', 'transnational organised crime' and 'organised property crime'.

In the found documents ( $n=238$ ) we looked for references to 'cultural property crime', 'trafficking' of or 'illicit trade' in 'cultural goods', 'cultural property', 'cultural heritage', 'works of art', 'antiques' or 'antiquities', or 'heritage crime', which we found in

58 documents (online appendix 1). We conducted then a qualitative content analysis of the documents, exploring linkages to conspiracy and participation in an organised criminal group, organised crime, terrorism, terrorist financing, corruption, smuggling, tax offenses or tax fraud, sanctions evasion, money laundering, forgery and fraud.

We examined the documents manually, using the Adobe pdf search engine and visual inspection. After appropriately describing the document (issuing body, year, short title, number of pages) we considered the following: 1) number of mentions of terms referring to the TCG per document (excluding tables of contents); 2) criteria used to identify the TCG as a form of serious organised international crime; 3) other organised crimes mentioned in connection with TCG; and 4) the joint use of terms. With item 2, we investigated the conceptualization of serious organised international TCG; with item 3 we considered the relation to other forms of organised crime; finally, with item 4 we studied how the European bodies define this relation.

As we will see, the first mentions of illicit TCG as a form of serious organised crime date back to the mid-1990s, in documents which respond to the need to strengthen police and judicial cooperation. But a large majority of documents, over 70%, appeared in the second half of this period (2013–2023), directly linked to the growing securitisation of the protection of cultural property in connection with the fight against terrorism and terrorist financing.

## Results

In Table 1 we present the list of the offences mentioned most frequently in EU policy documents as crimes related to the TCG. For simplicity, we combine similar crimes mentioned with slightly different wording across documents, such as ‘terrorist financing’, ‘financing of terrorism’, ‘terrorism financing’. Terrorist financing ranks first (appearing in 20 documents), closely followed by money laundering (in 14). The umbrella category of organised crime ranks third, together with terrorism (each of them mentioned in 8 documents). The blocs of crimes ranking fourth to eighth largely cover offences typically considered forms

**Table 1** Top categories of crime most frequently referenced as crimes related to the trafficking of cultural property in EU policy documents mentioning organised or serious crimes

Rank	Crime	No. of citing documents
1	Terrorist financing	20
2	Money laundering	14
3	Organised crime	8
	Terrorism	8
4	Other forms of illicit trafficking (drugs, persons, arms, oil, cigarettes, wildlife, counterfeit goods)	5
5	Corruption	4
	Extortion	4
6	Sanctions evasion	3
7	Forgery	2
	Fraud	2
	Tax evasion	2
8	Financing of criminal organisations	1
	Racketeering	1
	War crimes	1

of organised crime. As we will see in the next subsections, there is no adoption of specific measures with regard to most of these nexuses, with the exception of the AML framework, which is explicitly directed against terrorist financing.

## The Emergence of TCG as a Form of Organised Serious International Crime in EU Policy

Cultural property crime *was not included* in the list of crimes considered as matters of common interest for Member States or areas in which to establish minimum rules by the founding Treaties. The Treaty on European Union 1992, entered into force in 1993, mentions unauthorized migration and fraud on an international scale, terrorism, unlawful drug trafficking and ‘other serious forms of international crime’, without specifying further (Article K.1). Subsequently the EU was reformed by various treaties which maintained the same list, omitting any reference to cultural property crimes (Treaties of Amsterdam, 1997, Nice, 2001, Lisbon, 2007). The current Treaty on the Functioning of the European Union (2016) allows the European Parliament and the Council, by means of directives, to establish minimum rules concerning the definition of criminal offences and sanctions again in the areas of particularly serious crime with a cross-border dimension resulting from the nature or impact of such offences or from a special need to combat them on a common basis. It explicitly mentions ‘terrorism, trafficking in human beings and sexual exploitation of women and children, illicit drug trafficking, illicit arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime and organised crime’ (Article 83), but not TCG.

In spite of not being a specific competence of the EU (Peters, 2015: 142), the illicit TCG comes under several EU fields of competence, such as the internal market, culture, the common foreign and security policy and the area of freedom, security and justice. This explains why it is in the area devoted to police and judicial cooperation that the ‘career’ of TCG as a serious organised international crime in EU policy began taking shape in the 1990s. Our searches indicate that the identification of cultural property crime as a form of serious international crime first appeared in an EU policy document in 1995. The Europol Convention (Council, 1995) identifies five crimes as initial focal points for the new European Police Office (Europol), none of them TCG (Article 2(2)). However, the annex to the Convention provides a list of 18 ‘serious forms of international crime which Europol could deal with in addition to those already provided for in Article 2(2)’. ‘Illicit trafficking in cultural goods, including antiquities and works of art’, is one of them.

TCG was also mentioned as a form of serious organised crime that requires strengthening of cooperation between the Member States in the Joint Action on making it a criminal offence to participate in a criminal organisation (Council, 1998). In the following years, the EU legal framework regarding police and judicial cooperation in criminal matters consistently mentions the ‘illicit trafficking in cultural goods, including antiques and works of art’ and related offenses (participation in a criminal organisation, corruption, money laundering, terrorism, other illicit forms of trafficking, etc.) in the list of crimes for which special agencies, like Eurojust,<sup>4</sup> were created, as well as in all lists regarding the adoption of special procedures

<sup>4</sup> Initially, the competence of Eurojust covered the types of crime and the offences in respect of which Europol is at all times competent to act, set out in Article 2(1) of the Europol Convention and in the Annex thereto. Once the Council Decision establishing Europol entered into force (Council, 2009a), the competence of Eurojust was set up in Article 4(1) of that Decision and in the Annex thereto. Both annexes mention trafficking in cultural property, antiquities and works of art.

in order to facilitate police and judicial cooperation in criminal matters.<sup>5</sup> The close attention paid by the Council was a natural consequence of the Treaty of Nice, which represented an enhancement in concerns of judicial cooperation comparing to the Treaty of Amsterdam. But, as we will see in the next subsection, attention paid to the overlaps between TCG and other forms of organised crime by the main agencies has been intermittent at best.

### TCG as a Conduit for Terrorism Financing

Despite the relevance of the fight against organised and serious crime in the policy cycle and the inclusion of the illicit TCG in the lists of serious crimes, EU policy documents failed to identify overlaps between cultural property crime and other forms of serious organised cross-border crime until the 2010s. It is noteworthy, in particular, that most texts outlining the EU strategy against organised crime make no reference to this aspect (Council, 1997, 2000, 2010). This reflects in the scarce attention by Europol, Eurojust, Frontex and EPPO.<sup>6</sup> Only the EU Organised Crime Report (Europol, 2005: 22) recognises that the criminal interest in cultural property embraces a wide spectrum of illegal behaviours—i.e., theft and receiving, illicit trafficking, forgery and fraud, extortion and money laundering -, and that the involvement of organised criminals seek to satisfy the rising demand for cultural objects, but this finding did not merit further follow-up.

This is all the stranger because in the 2010s the link between organised crime and cultural property crime was a hot topic in the United Nations. The Palermo Convention (UN, 2000), the first global, legally-binding instrument addressing transnational organised crime, already identified the need to tackle the involvement of organised criminal groups in the illicit cultural property trade, but only in the preamble.<sup>7</sup> Ten years elapsed before the UN Economic and Social Council, ‘alarmed at the growing involvement of organized criminal groups in all aspects of trafficking in cultural property,’ considered that.

<sup>5</sup> See the legal instruments on the European Arrest Warrant (Council, 2002), the execution in the EU of orders freezing property or evidence (Council, 2003), the mutual recognition of custodial sentences or measures involving deprivation of liberty (Council, 2008a), probation decisions and alternative sanctions (Council, 2008b), and supervision measures (Council, 2009b), the European Investigation Order in criminal matters (Parliament and Council, 2014), the use of passenger name records (Parliament and Council, 2016), the mutual recognition of freezing and confiscation orders (Parliament and Council, 2018c), the facilitation of cross-border hot pursuits and cross-border surveillance (Council, 2022), and the European Production Orders and European Preservation Orders (Parliament and Council, 2023a).

<sup>6</sup> The Serious and Organised Crime Threat Assessment Methodology, which initiates the first full policy cycle on serious international and organised crime, merely mentions illicit TCG, without identifying any overlap with other forms of serious organised international crime (Council, 2012: 9). Something similar happens in Eurojust’s reports, in which the new methodology applied to mobile organised group classification identifies the illicit TCG as one of the core offences in the category Organised Property Crime, without giving it any additional thought (Eurojust, 2014: 30). In fact, as recently as in 2021, illicit trade in cultural goods only merits a short subsection in the chapter on organised property crime in Europol’s SOCTA (Europol, 2021: 88–89), with much more attention paid to other forms of illicit trade and organised crime. Frontex’s general reports and risk analyses, which focus on cross-border crime, never mention it, not even once, in spite of being the European Agency dedicated to tackle the fight against serious organised crime and terrorism at the external borders. EPPO’s reports do not mention the topic, not even once.

<sup>7</sup> In the preamble of Resolution 55/25 adopting the Convention, the UN General Assembly asserts that the Convention ‘will constitute an effective tool and the necessary legal framework for international cooperation in combating, inter alia, such criminal activities as money laundering, corruption, illicit trafficking in endangered species of wild flora and fauna, offences against cultural heritage and the growing links between transnational organized crime and terrorist crimes.’



the Convention against Transnational Organized Crime and the United Nations Convention against Corruption should be fully used for the purpose of strengthening the fight against trafficking in cultural property, including by exploring other possible normative developments, when appropriate. (ECOSOC, 2010: 112 ff.)

In this vein, the Secretariat of the Conference of the Parties noted that trafficking of cultural property.

has links to organized crime [...]. There is also evidence that transnational trafficking in antiquities is linked to other illicit activities in which organized criminal groups are involved, including drugs and arms smuggling, violence, corruption and money-laundering. (Secretariat, 2010: 4)

In spite of these connections, the Secretariat merely recommends to consider making the trafficking in cultural property (including stealing and looting at archaeological sites) a serious crime in accordance with the Palermo Convention, as well as criminalizing as serious crimes a wider range of offences typically related to trafficking in cultural property. Following this recommendation, the UN General Assembly also urged Member States to *inter alia* criminalise.

all forms and aspects of trafficking in cultural property and related offences by using a broad definition that can be applied to all stolen, looted, unlawfully excavated and illicitly exported or imported cultural property, and [...] to make trafficking in cultural property, including stealing and looting at archaeological and other cultural sites, a serious crime, as defined in article 2 of the United Nations Convention against Transnational Organized Crime [...]. (Resolution 66/180 of 30 March 2012)

Shortly after, the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences (UN General Assembly Resolution 69/196 of 18 December 2014) consider as ‘related offences’ not only ‘conspiracy or participation in an organized criminal group’, but also ‘laundering of trafficked cultural property’. This connection was to have a major impact in the following years, not directly but through the link with terrorism and terrorist financing. It was construed since 2014 by a consistent body of resolutions of the UN Security Council,<sup>8</sup> which, following the episodes of destruction and looting of cultural heritage committed by terrorist groups in Iraq and Syria, expressed concern about the fact that terrorists benefitted from transnational organised crime in some regions, including from the trafficking of arms, persons, drugs and artefacts and from the illicit trade in natural resources including gold and other precious metals and stones, minerals, wildlife, charcoal and oil, as well as from kidnapping for ransom and other crimes including extortion and bank robbery. They also showed preoccupation about that ISIS/Da’esh and Al-Qaida, as well as individuals, organisations, groups, undertakings and entities associated with them, were generating income from engaging directly or indirectly in the looting and smuggling of cultural heritage items from archaeological sites, museums, libraries, archives, and other sites, which was being used to support their recruitment efforts and strengthen their operational capability to organise and carry out terrorist attacks.

The EU followed this path. Concern for the use of TCG to finance terrorist activities was publicly expressed by the Parliament in 2015. The Parliament’s resolution on the

<sup>8</sup> Resolutions 2199 (2015), 2253 (2015), 2322 (2016), 2347 (2017), 2462 (2019) and 2617 (2021) of the UN Security Council.



destruction of cultural sites perpetrated by ISIS/Da'esh reproduces the unfounded assertion that 'illicit trade in cultural goods is now the third most significant illegal trade after drugs and arms' (Parliament, 2015: 57; see criticism on this 'factoid' by Yates & Brodie, 2023). The same year, the Commission announced its intention to explore the need for and possible benefits of additional measures in the area of terrorist financing, including measures related to the illicit trade in cultural goods (Commission, 2015: 14). Other policy documents insist on the need to increase international police cooperation against TCG as a way to disrupt sources of terrorist funding (for instance, Commission, 2016: 12). A collateral effect of this growing interest is the discovery of the link with other forms of trafficking, such as the illicit trade in firearms, oil, drugs and wildlife, and the smuggling of migrants, cigarettes and counterfeit goods by organised crime networks. This connection is mentioned five times in EU policy documents (Commission, 2016: 12–13; Parliament, 2016: 108; Parliament and Council, 2018a: Article 1), where it is stated that trafficking in a certain kind of goods is a conduit for a broader range of black-market goods. The Directive on combatting terrorism describes the illicit TCG, together with these other forms of trafficking, racketeering and extortion, as 'lucrative ways for terrorist groups to obtain funding' (Parliament & Council, 2017: Recital 13).

Clearly, a more effective curbing of the illicit trade in cultural goods is seen as a conduit to enhance the effectiveness and efficiency of the fight against terrorist financing and money laundering. FATF recommendations (FATF, 2012–2023) consolidate the opinion that terrorist financing and money laundering often exploit the same vulnerabilities in financial systems and the broader economy that allow for anonymity and opacity in transactions. Exactly the same can be said about TCG. The link was first made evident in 2015 (Commission, 2015: 14; Council, 2015: 2). These documents call for exploring the possible benefits of additional measures in the area of terrorist financing, including measures relating to the freezing of terrorist assets, the illicit trade in cultural goods and the control of non-cash forms of payment.

## TCG and the AML Framework

The main result of this approach is the Fifth Anti-Money Laundering Directive (hereinafter 5AMLD, Parliament and Council, 2018a). It adds to the list of obliged entities and persons.

persons trading or acting as intermediaries in the trade of works of art, including when this is carried out by art galleries and auction houses, where the value of the transaction or a series of linked transactions amounts to EUR 10 000 or more. (Article 2(1)(3)(i))

and.

persons storing, trading or acting as intermediaries in the trade of works of art when this is carried out by free ports, where the value of the transaction or a series of linked transactions amounts to EUR 10 000 or more. (Article 2(1)(3)(j))

The 5AMLD also lists as transactions of potentially higher risk of money laundering those.

related to [...] cultural artefacts and other items of archaeological, historical, cultural and religious importance, or of rare scientific value, as well as ivory and protected species,

while mentioning as geographical risk factors.

countries identified by credible sources as having significant levels of corruption or other criminal activity [...], countries subject to sanctions, embargos or similar measures issued by, for example, the Union or the United Nations; [...] countries providing funding or support for terrorist activities, or that have designated terrorist organisations operating within their country. (Annex III)

Curiously, though, cultural property crimes are not explicitly mentioned among the categories of crimes that are considered predicate offenses of money laundering by the Sixth Anti-Money Laundering Directive (Parliament and Council, 2018b). Anyway, depending on the national regulation, they can be included in the generic reference to any ‘criminal activity’, or in the more specific one to the ‘illicit trafficking in stolen goods and other goods’ (Article 2(1)).

Also responding to the preoccupation regarding terrorist financing and money laundering are the Regulation on the introduction and the import of cultural goods (Parliament & Council, 2019), and the Parliament’s resolution on cross-border restitution claims of works of art and cultural goods looted in armed conflicts and wars (Parliament, 2019), which introduce specific provisions requiring importers to exercise due diligence regarding the licit provenance of the cultural goods imported, encouraging compliance through the provision of penalties for infringements. The Commission explicitly acknowledges that these initiatives intend to respond to the call by the UN Security Council to take steps to counter the illicit trade and trafficking of cultural property, in particular when originating from a context of armed conflict and conducted by or benefiting to terrorist groups (Commission, 2017: 8).

In 2020, the Commission (2020: 19), after stating that TCG has become ‘one of the most lucrative criminal activities, a source of funding for terrorists as well as organised crime and it is on the rise’, suggests to adopt steps to

improve the online and offline traceability of cultural goods in the internal market and cooperation with third countries where cultural goods are looted as well as providing active support to law enforcement and academic communities.

Other documents stress the fact that illegal excavation, looting and trafficking of cultural property are not only linked to serious security threats, as they provide means for financing of organised criminal and terrorist activities and are instrumental for money laundering, but also have a socio-cultural impact (Council, 2020: 8; Commission, 2021: 16–17). Coherently, the Council (2021: 10) set as the aim of the priority on organised property crime.

to disrupt criminal networks involved in organised burglaries and theft, organised robberies, motor vehicle crime and illegal trade in cultural goods, with a special focus on those that are highly mobile and operating across the EU.

The EU Action Plan against Trafficking in Cultural Goods (Commission, 2022) is the first document to include a description not only of other cultural property crimes in addition to trafficking, such as theft, robbery, looting and forgery (briefly mentioned before in Europol, 2021, see note 6), but also of the following related crimes: fraud, disposal of stolen goods, smuggling, corruption, money laundering, sanctions evasion, tax evasion and terrorist financing. The Action Plan identifies the detection of illicit financial flows as a key component of the fight against cultural goods trafficking. It recognises that the prevalence of money laundering or terrorism financing with legally acquired cultural goods requires

particular attention. In fact, this is the only intersection between cultural property crimes and other organised crime typologies which is addressed with a certain extension in the document. As we will see, by doing so the Action Plan points out the business culture in the art market as the main facilitating factor of cultural property crime and one of the most probable explanations of its relative impunity.

Later EU policy documents focus on individual crimes, such as corruption (Commission, 2023; Parliament and Council, 2023b). Corruption is considered a key tool for organised crime as it facilitates a wide variety of criminal activities, including trafficking. No specific measure is adopted regarding this link.

In sum, EU policy texts relating to these offences show a clear evolution: the older ones are silent on the issue of overlaps with organised crimes, while the more modern ones allude to this connection, but more often than not they do not adopt specific measures to combat it. The exception is the link to terrorist financing and money laundering. During the whole period, however, reports and reviews from Europol, Eurojust, Frontex and the EPPO paid no attention to the topic.

## Discussion

The involvement of organised crime groups in various manifestations of cultural property crimes is recognised in EU policy documents and has been repeatedly confirmed in case law and police operations. This ranges from resorting to low-level looting or smuggling activities as a gateway to more serious crimes to criminal networks handling particular stages of illegal supply chains (e.g., moving the artefacts from the countries of origin to those of destiny) or groups resorting to ‘poly-criminal’ conduct (e.g., exploiting consolidated maritime or land routes for the trafficking of multiple assets simultaneously). At the same time, though, the degree and characteristics of organised crime groups’ involvement in cultural property crimes have not been thoroughly examined, aside from looting, damage and destruction in conflict zones. It seems that most existing networks are quite small, largely opportunistic and significantly decentralised, integrated by members that, in many cases, are not even ‘full-time’ criminals (Nistri, 2009; Sargent et al., 2020). In fact, the literature consistently highlights the disorganised nature of the illicit market in cultural goods, dominated by small groups and actors that are ‘local at all points’ (using the terminology proposed by Hobbs, 1998: 419), which is to say that the organisation of cultural property crime entails ever mutating interlocking networks of mainly locally based criminality (Campbell, 2013; Brodie et al., 2019). These findings are at odds with the insistence of EU bodies on the characterisation of cultural property crime as a serious organised cross-border crime.

Much attention has been focused on the overlaps and intersections between terrorism, unlawful excavation and removal, illegal importation and exportation, acquisition, destruction and damage of cultural property in armed conflicts. In spite of this, until 2017 EU documents imposing the criminalisation of terrorist financing did not explicitly address the link to the illicit trade in cultural goods, not even mentioning it as one of the criminal activities from which property is derived to launder. From then on, the policy instruments that establish the connection seem unclear about its extent and importance. Initially their wording was quite cautious, only recognising that.

Illicit trade in pillaged cultural goods has been identified as a possible source of terrorist financing and money laundering activities in the context of the supranational risk assessment on money laundering and terrorist financing risks affecting the internal market. (Parliament & Council, 2019: Recital 11)

Or that.

valuable artworks, sculptures and archaeological artefacts are being sold and imported into the EU from certain non-EU countries, with the profits potentially being used to finance terrorist activities. (Parliament, 2019: 126).

At other times they merely acknowledge that terrorist groups are generating income from the illicit trafficking of cultural property (Council, 2020: 8) and that this illicit trade is instrumental for money laundering (Commission, 2021: 16). But sometimes they go further and bluntly affirm that TCG has ‘become one of the most lucrative criminal activities’ for terrorists and organised crime (Commission, 2020: 19). These contradictory appreciations (it may be a source of funding, it is a source of funding, it is the most lucrative source of funding) touch on another hot topic, which is the lack of evidence to support *any* of these claims. Documents do not delve further in their exploration, uncritically repeating unsubstantiated facts – or ‘factoids’. Certainly, the use of satellite technologies for monitoring archaeological sites allows us to know the extension of looting and vandalism in conflict zones (Tapete et al., 2016), but not who benefits from it. The claim that the illicit trade in cultural property fuels terrorist activities is not based on research by any academic or professional expert, is not drawn from crime statistics or from any relevant organisation within or outside the EU conducting field research, and thus is not verifiable. It has existed since the 2010s in the service of a narrative that equates terrorism with stricter measures against ‘serious organised international’ activities. In the absence of reliable evidence, the reception of this narrative by EU policymakers has been characterised as problematic (Sargent et al., 2020). It undermines the idea that EU policy related to the illicit trade in art and antiquities is made based on real data. Furthermore, although it fits well into the existing, ideologically charged narrative regarding the ‘war on terror’, contributing to the discursive escalation of heritage as a security issue (Berg Christensen, 2022), it does so at the cost of the fight against TCG taking a back seat in that war (Puskás, 2019; Rosén, 2017). But not everything is negative. The focus on terrorism allowed to add political weight to archaeologists’ and art historians’ efforts to curb the international trafficking of looted objects, while increasing public awareness of the cultural, historical and economic value of cultural heritage and the urgent need to reduce the illicit activities threatening it. It helped to place the protection of cultural heritage on political agendas. And it paved the way for the inclusion of the art market in the AML framework.

Many EU instruments implicate cultural property – antiquities and artwork—in money laundering ( $n = 14$ ). There is very little evidence that antiquities are actually used for money laundering. There is in contrast ample evidence that the antiquities themselves are laundered, as are the criminal proceeds of their sales (Bowman, 2008; Mosna, 2022). Brodie and Yates (2022: 105–108) suggest that antiquities might be used for trade-based money laundering, but they also state that there is no empirical confirmation. Contrarily, for artworks, the acts of buying art objects with criminally earned money to convert such dirty cash into an asset that gains value and can be sold later, or of cleaning the tainted money by making an accomplice of the seller to buy the artwork with money provided by the seller (as described by Renold, 2018), are transactions that can clearly be used to launder dirty

money. The business culture of the art market undoubtedly consent exploitation for the purpose of money laundering, while other vulnerabilities are linked to market participants and the cultural objects (Brodie et al., 2019; Dundler, 2021; FATF, 2023; Flynn, 2016; Hufnagel & King, 2020). To approach cultural property crime from the AML framework is consistent with a relevant sector of the specialised literature that argues that cultural property crime should be examined not only or not principally as a form of organised crime, but as a white-collar crime, that is, as an unlawful form of entrepreneurship, governed by profit goals and business rationales, vocabularies and rules that normalise the illicit behaviour while minimising the harmful consequences (Balcells, 2014b; Mackenzie, 2019; Oosterman et al., 2021). It could be argued that TCG is not per se a white-collar crime, even considering the many different meanings of this term (Green, 2004). It may end up as a white-collar crime at the final stage, but it rarely starts that way. In any case, it is precisely this phase that has been targeted by the EU, from the perspective that the art market works in ways similar to the financial sector in many aspects. Imposing due diligence obligations and preventive regulatory requirements on professionals, creating an effective supervisory framework, improving traceability and reliable information on the object's origin and history, are measures that purport to achieve better results than the previous approach based on the alleged organised nature of cultural property crime. In this respect, the inclusion of TCG in the AML framework represents an important turning point in the pursuit of an effective level of protection.

Lastly, the nexus between corruption and trafficking of cultural property remains understudied (Eber et al., 2022), with speculation of a strong connection being fuelled by media. Even though smuggling (illicit import and exportation) often requires extra-legal activities that may abet corruption (Fisman & Wei, 2009), EU policy instruments on corruption do not usually address this linkage. The situation is evolving, since the EU is aware that initiatives to combat specific organised crimes, including TCG, also help to limit corruption opportunities (Commission, 2023: 7). Consistently with the AML approach, the explanatory memorandum of the proposal for a directive on combatting corruption (Parliament and Council, 2023b: 4) mentions the TCG in relation to money laundering and sanctions evasion offences.

## Concluding Remarks

In this paper, we have demonstrated both a growing interest among EU policymakers in the connection between TCG and related serious organised international crimes, and substantial gaps in the conceptualization of these overlaps. To date, these linkages have been identified in many EU policy documents, but they address the connection poorly and inconsistently. On the basis of our content analysis, though, we can only speculate on the reasons for the EU institutions' failure to achieve a more consistent understanding of the interrelation of the TCG with other forms of organised crime.

As already shown, all instruments related to police and judicial cooperation in criminal matters mention the illicit TCG including antiques and works of art and related offenses in all lists regarding the adoption of special procedures in order to facilitate police and judicial cooperation in criminal matters. TCG is also included in the list of crimes for which special agencies, like Europol or Eurojust, are created. However, EU policy documents do not delve further. Furthermore, most of the reports produced by these agencies do not specifically mention organised crime in relation to

cultural property crime. Europol is the exception, but only since 2017 and without much emphasis.

Cultural property crime is not explicitly included in the list of particularly serious crimes with a cross-border dimension for which the Parliament and the Council are allowed to establish minimum rules. This explains why the EU policymakers' growing interest in TCG that we can see since the middle of the 2010s is closely related to the fight against terrorism and terrorist financing. Undoubtedly, this development has provided a new impulse for both combatting the illicit trade and exploring the intersections with other organised crime typologies, particularly money laundering and corruption. Moreover, it has contributed to raising awareness of the real significance and scale of TCG activities among the public as well as among art market players and law enforcement agencies, usually unaware of the harms this crime can bring (Brodie et al., 2019; Chappell & Huffer, 2014; Nall, 2014). Yet, another consequence is an expanding process of securitisation of the topic. The fight against these crimes has increasingly become an issue of global governance, attiring the attention not only of the EU, but also of other international organisations for political and military alliance and collective defence, such as NATO (Rosén, 2017). The problem is that in this approach preoccupation about the protection of cultural property is clearly secondary to the objective of preventing and combatting terrorism. The fight against TCG is framed as a measure against terrorist financing and a necessary development for the security of European nations. A first conclusion is that the persistence of the securitarian approach to the protection of cultural property disregards the need to provide a good foundation for the policy discussion, and evidences a serious flaw in EU policymakers' understanding of the characteristics of the illicit market. A second conclusion, though, is that this approach contributes to point in the right direction: the adoption of measures to control the art market and reduce its vulnerabilities.

In fact, the growing interest in the art trade paid by EU instruments dealing with the prevention of money laundering provides a good strategy. The imposition of obligations on key players contributes to create a legal environment that enables the sharing of information among various parties to the extent that is relevant to the fight against the illicit trade in cultural goods. Surely, the AML framework cannot be presented as a panacea for all problems of the art market (Hufnagel & King, 2020; Ulph & Smith, 2012). There are many aspects that threaten to radically diminish the effectiveness of the European regulation, turning it into a missed opportunity which may leave the market highly exposed to abuse: from the financial threshold incorporated into the 5AMLD -the value of the transaction or a series of linked transactions must amount to EUR 10 000 or more to trigger obligations- to the different perceptions of the market's risks between regulatory authorities and market participants, as well as among different jurisdictions, which may lead to under-enforcement. Moreover, as already shown, EU emphasis on money laundering through the art market is usually connected with the prevention of terrorist financing, instead of the more common crimes of corruption, tax fraud and sanctions evasion. And this may prove misleading.

It is clear that the current legal framework raises several quite problematic issues with the obligations, how they are restricted in their reach for those in the art and antiquities trade or whether they will be effectively enforced. But, against the backdrop of the pronounced lack of interest displayed by art dealers and auction houses regarding the implementation of self-regulatory measures, it is justified to induce behavioural change and an environment more amenable to the public interest to protect cultural heritage (Baranello, 2021). Paraphrasing the old proverb, one could say that the EU writes straight with crooked lines.

## Online Appendix List and analysis of EU policy documents mentioning the terms 'organised crime' or 'serious crime' and variations, in connection with 'trafficking of cultural property' or variations (1993–2023; $n=238$ )

EU policy documents mentioning the terms 'organised crime', 'organised property crime', 'transnational organised crime', 'organised and serious international crime', 'serious crime', 'serious organised crime', 'serious organised cross-border crime', 'serious international organised crime', 'serious forms of organised crime', 'serious and organised crime', 'serious crime activities', in connection with 'cultural property crime', 'heritage crime', 'trafficking' of or 'illicit trade' in 'cultural goods', 'cultural property', 'cultural heritage', 'works of art', 'antiques' or 'antiquities' (1993-2023;  $n=58$ )

No.	Issuing body	Year	Short title	No. pages	No. mentions of "trafficking in cultural goods", in "cultural heritage", "cultural property", etc.	Criterion to identify the trafficking of cultural goods as organised/serious crime	Other forms of organised crime mentioned in connection with cultural property crime	Joint use of terms
1	Council	1995	Europol Convention	32	1	Organised criminal structure + two or more Member States affected + scale, significance and consequences of the offences	No	The annex to the Convention mentions the 'illicit trafficking in cultural goods, including antiques and works of art' as a form of serious crime in the list of other serious forms of international crime which Europol could deal with in the future
2	Council	1998	Joint Action on making it a criminal offence to participate in a criminal organisation	2	1	A structured association over a period of time, of more than 2 persons, acting in concert to commit offences punishable with a maximum of at least 4 years or a more serious penalty, to obtain material benefits or improperly influence the operation of public authorities	No	Preamble: 'the Council considers that the seriousness and development of certain forms of organised crime require strengthening of cooperation between the Member States of the European Union, particularly as regards the following offences: drug trafficking, trafficking in human beings, terrorism, trafficking in works of art, money laundering, serious economic crime, extortion and other acts of violence against the life, physical integrity or liberty of a person, or creating a collective danger for persons'
3	Council	2002	Framework Decision on the European Arrest Warrant	18	2	No	No	Illicit trafficking in cultural goods, including antiques and works of art, is included in the list of offences for which an EAW will be issued without verification of the double criminality of the acts



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4	Council	2003	Framework Decision on the execution in the European Union of orders freezing property or evidence	11	1	No	No	Illicit trafficking in cultural goods, including antiques and works of art, is included in the list of offences for which an order freezing property or evidence will be issued without verification of the double criminality of the acts
5	Europol	2005	EU Organised Crime Report	34	15	'Serious organised criminals' and 'serious organised crime groups', 'professionalism, logistics and efficiency'	Theft and receiving, illicit trafficking, forgery and fraud, extortion, money laundering	The Report says that 'The criminal interest in cultural property embraces a wide spectrum of illegal behaviours such as theft and receiving, illicit trafficking, forgery and fraud, extortion, money laundering, important issues of threats to the integrity of cultural heritage. The criminals involved in cultural property crime can be found at all levels of society. In general they are common criminals stealing for financial gain' (p. 22). It also mentions that 'Globalisation and economic development create a rising demand for goods and services that OC can satisfy. The professionalism, logistics and efficiency offered by OC are prerequisites for ensuring the profits of a criminal activity. Illegal waste disposal, trafficking in cultural objects and luxury cars, and counterfeiting in all its variety are but examples of the areas with increasing OC involvement. OC satisfies a demand that is becoming more and more specific and sophisticated; thefts of cultural objects and jewellery follow international trends and can be committed to order: only specific and the most valuable goods qualify. On the other hand, large volumes of smuggled bulk commodities also require OC involvement. The required chain of logistics and distribution alone are almost impossible to establish otherwise' (p. 33).

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6	Commission	2006	Communication on Developing a comprehensive and coherent EU strategy to measure crime and criminal justice: An EU Action Plan 2006 – 2010	27	1	No	No	An objective of the strategy is measuring five types of serious and trans-border crime, including trafficking in cultural goods, including antiques and works of art
7	Council	2006	Framework Decision Exchange of Information and Intelligence	12	1	No	No	Illicit trafficking in cultural goods, including antiques and works of art, is included in the list of offences for which information will be exchanged without verification of the double criminality of the acts
8	Eurojust	2007	Annual Report 2006	100	3	'Serious organised cross-border crime'	No	Case Study 7 is a description of a case related to the illegal trading of antiquities in Greece
9	Council	2008	Framework Decision on the mutual recognition of custodial sentences	20	1	No	No	Illicit trafficking in cultural goods, including antiques and works of art, is included in the list of offences for which a prison sentence shall be recognised without verification of the double criminality of the acts
10	Council	2008	Framework Decision on the mutual recognition of probation measures	21	1	No	No	Illicit trafficking in cultural goods, including antiques and works of art, is included in the list of offences for which a decision on a probation measure shall be recognised without verification of the double criminality of the acts
11	Europol	2008	Annual Report 2007	90	1	'Serious organised crime' and 'serious and organised crime'	No	Cultural property crime as one of the investigations of the Maltese Liaison Bureau.

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12	Council	2009	Decision establishing the European Police Office (Europol)	30	1	Organised crime, terrorism and other forms of serious crime + two or more Member States affected + scale, significance and consequences	No	The Decision mentions the 'illicit trafficking in cultural goods, including antiques and works of art' as a form of serious crime in the list of crimes for which Europol is created. The list includes many forms of trafficking, corruption, money laundering, terrorism ...
13	Council	2009	Framework Decision on the mutual recognition to decisions on supervision measures	21	1	No	No	Illicit trafficking in cultural goods, including antiques and works of art, is included in the list of offences for which a supervision measures will be recognised without verification of the double criminality of the acts
14	Eurojust	2009	Annual Report 2008	72	1	No	No	Illicit trafficking in cultural goods, including antiques and work of art, is mentioned as one of the sub-categories of cases of crimes against property or public goods including fraud registered by Eurojust
15	Europol	2009	Anniversary Publication: 10 years of Europol 1999-2009	136	2	'Serious international organised crime', 'serious forms of organised crime', 'serious cross-border organised crime' and 'serious organised crime'	No	Identifying, detecting, preventing and combating crimes and misdemeanours relating to protection of cultural heritage are mentioned as tasks of the Customs Service of Poland. The protection of cultural heritage is mentioned as one of the tasks of the Carabinieri in Italy.
16	Council	2012	SOCTA Methodology	28	1	'Serious crime activities'	No	MS are invited to refer to the Europol Council Decision which provides a list of serious crime activities, including 'illicit trafficking in cultural goods, including antiquities and works of art'
17	Europol	2013	Europol Review 2012	80	0	No	No	Investigations on cultural goods e.g. antique maps and reports on cultural property are briefly mentioned.

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18	Parliament and Council	2014	Directive on the EIO	36	1	No	No	Illicit trafficking in cultural goods, including antiques and works of art, is included in the list of offences for which an EIO shall be executed without verification of the double criminality of the acts
19	Commission	2015	Communication The European Agenda on Security	21	1	No	Terrorism financing	'The Commission will also explore the need for and possible benefits of additional measures in the area of terrorism financing, including measures relating to the freezing of terrorist assets under Article 75 TFEU, to illicit trade in cultural goods, to the control of forms of payment such as internet transfers and pre-paid cards, to illicit cash' movements and to the strengthening of the cash controls Regulation'
20	Council and MS	2015	Conclusions of the meeting on Counter-Terrorism	14	1	No	Money laundering, terrorist financing	'The Council: a) invites the Commission to present proposals to strengthen, harmonise and improve the powers of, and the cooperation between Financial Intelligence Units (FIU's), notably through the proper embedment of the <a href="#">FIU.net</a> network for information exchange in Europol, and ensure their fast access to necessary information, in order to enhance the effectiveness and efficiency of the fight against money laundering and terrorist financing in conformity with Financial Action Task Force (FATF) recommendations, to strengthen controls of non-banking payment methods such as electronic/ anonymous payments, money remittances, cash-carriers, virtual currencies, transfers of gold or precious metals and pre-paid cards in line with the risk they present and to curb more effectively the illicit trade in cultural goods.'

No.	Issuing body	Year	Short title	No. pages	No. mentions of "trafficking in cultural goods", in "cultural heritage", "cultural property", etc.	Criterion to identify the trafficking of cultural goods as organised/serious crime	Other forms of organised crime mentioned in connection with cultural property crime	Joint use of terms
21	Parliament	2015	Resolution on the destruction of cultural sites perpetrated by ISIS/ Da'esh	6	15	No	Terrorist financing	'... illicit trade in cultural goods is now the third most significant illegal trade after drugs and arms, ... this illicit trade is dominated by organised criminal networks, and ... current national and international mechanisms are neither adequately equipped nor supported to tackle the issue'
22	Eurojust	2015	Annual Report 2014	76	2	'Serious cross-border crime', 'serious cross-border organised crime', 'serious and organised crime'	No	It explains that a new methodology applied to mobile organised criminal group classification. 'The effect of the new methodology is that this crime type no longer includes (cases relating to) participation in a criminal association or organised crime as an offence, and is limited to the following offences: organised property crime (OPC) including organised robbery; motor vehicle crime; and illicit trafficking in cultural goods.' Illicit trafficking in cultural goods is one of the core offences in the category Organised Property Crime.
23	Commission	2016	Communication on an Action Plan for strengthening the fight against terrorist financing	15	3	Sources of terrorist funding	Illegal wildlife trafficking, terrorist financing, money laundering, bank looting, extortion, control of oil fields and refineries, robbery, kidnapping for ransom, cash smuggling	'Third countries could also be helped to combat illicit trade in cultural goods and its use for terrorist financing. This could imply re-prioritising existing support to capacity building (for example in the Middle East and North Africa - MENA) to give specific attention to protecting their cultural heritage and increasing international police cooperation against trafficking of cultural goods.'
24	Council	2016	Conclusions on the fight against the financing of terrorism	5	1	0	Terrorist financing	The Council recalls 'the importance of urgently enhancing the fight against illicit trade in cultural goods and CALLS ON the Commission to propose legislative measures on this matter as soon as possible'

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25	Parliament and Council	2016	PNR Directive	18	1	'Serious crime ... offences listed in Annex II that are punishable by a custodial sentence or a detention order for a maximum period of at least three years under the national law of a MS'	No	List of offences: 'illicit trafficking in cultural goods, including antiques and works of art'
26	Parliament	2016	Resolution on the fight against corruption and follow-up of the CRIM resolution	18	1	Growing convergence between organised crime and terrorism and terrorist financing	Illicit trade in firearms, oil, drugs and wildlife, smuggling of migrants, cigarettes and counterfeit goods used for the financing of terrorism	The European Parliament 'stresses that illicit trade in firearms, oil, drugs and wildlife, and smuggling of migrants, cigarettes and counterfeit goods, artworks and other cultural objects by organised crime networks have become very lucrative ways for terrorist groups to obtain funding; takes note of the presentation by the Commission of an action plan against illicit trafficking in, and use of, firearms and explosives; insists on the need to implement this action plan without delay; calls on the Member States to take the necessary measures, while avoiding undue administrative burdens for economic actors, to ensure that terrorist organisations and criminal networks may not benefit from any trading in goods'
27	Commission	2017	Communication Ninth progress report towards an effective and genuine Security Union	12	3	No	Terrorist financing	The proposal for a Regulation to prevent the import and storage in the EU of cultural goods illicitly exported from a third country, thereby reducing trafficking in cultural goods, combatting terrorism financing and protecting cultural heritage, 'is a further step in implementing the February 2016 Action Plan to step up the fight against the financing of terrorism, and it also responds to the call by the Security Council of the United Nations to take steps to counter the illicit trade and trafficking in cultural property in particular when originating from a context of armed conflict and conducted by or benefiting to terrorist groups.'

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28	Parliament and Council	2017	Directive on combatting terrorism	16	3	Illicit trafficking in cultural objects and other goods have 'become lucrative ways for terrorist groups to obtain funding'	Extortion, organised crime, racketeering, terrorism, terrorist financing, trafficking in drugs, persons, arms, oil, cigarettes, counterfeit goods	'Illicit trade in firearms, oil, drugs, cigarettes, counterfeit goods and cultural objects, as well as trafficking in human beings, racketeering and extortion have become lucrative ways for terrorist groups to obtain funding...' (Recital 13). 'The provision of material support for terrorism through persons engaging in or acting as intermediaries in the supply or movement of services, assets and goods, including trade transactions involving the entry into or exit from the Union, such as the sale, acquisition or exchange of a cultural object of archaeological, artistic, historical or scientific interest illegally removed from an area controlled by a terrorist group at the time of the removal, should be punishable, in the Member States, as aiding and abetting terrorism or as terrorist financing if performed with the knowledge that these operations or the proceeds thereof are intended to be used, in full or in part, for the purpose of terrorism or will benefit terrorist groups. Further measures may be necessary with a view to effectively combating the illicit trade in cultural objects as a source of income for terrorist groups' (Recital 15).
29	Parliament	2017	Proposal for a regulation on the import of cultural goods	21	17	No	Terrorist financing, money laundering, smuggling	'Trafficking in looted artefacts and antiques has been identified as a possible source for terrorist financing and money laundering activities in the context of the supranational risk assessment on money laundering and terrorist financing risks affecting the internal market'
30	Eurojust	2017	Annual Report 2016	72	1	No	No	It is explained that a plenary meeting took place at Eurojust and focused on the crimes related to the looting and destruction of cultural heritage sites in Syria and Iraq.



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31	Europol	2017	EU SOCTA 2017	60	6	'Mobile OCGs operating across the EU'	Terrorism, war crimes	It is said that 'A small portion of the funds generated by cultural goods trafficking... could potentially be used to support terrorist organisations.'
32	Europol	2017	Review 2016-2017	80	2	No	No	Operation Pandora 'targeted criminal networks involved in cultural theft and exploitation with a special focus on cultural spoliation and the illicit trafficking of cultural goods, with a particular emphasis on conflict zones.'
33	Europol	2017	EU TE-SAT 2017	62	2	No	Terrorism	'IS continued destroying cultural heritage'. 'The French Criminal Code was amended and supplemented by criminalising: (i) the trafficking of cultural goods coming from areas in which terrorist groups are operating...'
34	Parliament and Council	2018	5 <sup>th</sup> AMLD	45	2	No	Corruption, money laundering, trafficking in wildlife, terrorism	The Directive adds to the list of obliged entities and persons 'persons trading or acting as intermediaries in the trade of works of art, including when this is carried out by art galleries and auction houses...' (Article 2(1)(3)(i)), and 'persons storing, trading or acting as intermediaries in the trade of works of art when this is carried out by free ports...' (Article 2(1)(3)(j)). The Directive also lists as transactions of potentially higher risk of money laundering 'transactions related to [...] cultural artefacts and other items of archaeological, historical, cultural and religious importance, or of rare scientific value, as well as ivory and protected species', while mentioning as geographical risk factors 'countries identified by credible sources as having significant levels of corruption or other criminal activity [...], countries subject to sanctions, embargos or similar measures issued by, for example, the Union or the United Nations; [...] countries providing funding or support for terrorist activities, or that have designated terrorist organisations operating within their country' (Annex III).

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35	Parliament and Council	2018	6 <sup>th</sup> AMLD on combating ML by criminal law	9	0	'Any kind of criminal involvement in the commission of any offence punishable, in accordance with national law, by deprivation of liberty or a detention order for a maximum of more than one year or, as regards Member States that have a minimum threshold for offences in their legal systems, any offence punishable by deprivation of liberty or a detention order for a minimum of more than six months'	Money laundering, financing of terrorism, organised crime	The focal point of the updated directive is the formalization of 22 predicate offenses, encompassing new offenses for money laundering in the 6 <sup>th</sup> AMLD. It includes a category of 'illicit trafficking in stolen and other goods'.
36	Parliament and Council	2018	Regulation on the mutual recognition of freezing and confiscation orders	38	1	No	No	Illicit trafficking in cultural goods, including antiques and works of art, is included in the list of offences for which freezing or confiscation orders shall be executed without verification of the double criminality of the acts
37	Parliament and Council	2018	Eurojust Regulation	46	1	No	No	Illicit trafficking in cultural goods, including antiques and works of art, is included in the list of serious crimes with which Eurojust is competent to deal.
38	Parliament and Council	2018	Regulation establishing a ETIAS	71	1	No	No	Illicit trafficking in cultural goods, including antiques and works of art, is included in the list of offences about which the applicant should provide answers.
39	Parliament and Council	2019	Regulation on the introduction and the import of cultural goods	14	11	No	Financing of terrorism, money laundering	'Illicit trade in pillaged cultural goods has been identified as a possible source of terrorist financing and money laundering activities in the context of the supranational risk assessment on money laundering and terrorist financing risks affecting the internal market.'

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40	Parliament	2019	Resolution on cross-border restitution claims of works of art and cultural goods looted in armed conflicts and wars	6	6	No	Smuggling, terrorist financing	'in recent years a string of crimes against world cultural heritage have been perpetrated by warring factions and terrorist entities all over the world, and whereas valuable artworks, sculptures and archaeological artefacts are being sold and imported into the EU from certain non-EU countries, with the profits potentially being used to finance terrorist activities; ... it is essential to make a firm commitment against illicit trafficking in cultural goods such as works of art plundered during the armed conflicts and wars in Libya, Syria and Iraq'
41	Commission	2020	Communication on the EU Security Union Strategy	28	1	Organised crime groups seek opportunities in other fields	Terrorism, organised crime	'Trafficking in cultural goods has also become one of the most lucrative criminal activities, a source of funding for terrorists as well as organised crime and it is on the rise. Steps should be explored to improve the online and offline traceability of cultural goods in the internal market and cooperation with third countries where cultural goods are looted as well as providing active support to law enforcement and academic communities'
42	Council	2020	Conclusions on EU External Action on Preventing and Countering Terrorism and Violent Extremism	16	1	No	Terrorist financing	'Bearing in mind that terrorist groups are generating income from trade and illicit trafficking of cultural property, including that stolen and looted from archaeological sites in conflict zones, while also taking into account the lessons learned in EU operations and missions, the Council invites the EU to reflect on how to assist further affected countries to protect their own cultural heritage, including using relevant tools and measures from Interpol, WCO, UNESCO and FATF.'

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43	Council	2020	Conclusions on enhancing financial investigations to fight serious and organised crime	11	1	A type of organised crime	Organised crime	The Council calls on the MS 'to ensure that financial investigations, as a horizontal, cross cutting priority in EMPACT, forms part of all kinds of criminal investigations regarding organised crime, especially in drugs and firearms trafficking, organised property crime, environmental crime, migrant smuggling, trafficking in human beings, trafficking in cultural goods, including antiquities and works of art, and all other types of organised crime, and to mention that priority in all Operational Action Plans within the EMPACT platform'
44	Parliament	2020	Resolution on the EU Security Union Strategy	10	1	No	Environmental crime, organised property crime	The European Parliament 'notes that emerging criminal activities such as environmental crime, organised property crime or trafficking in cultural goods should not be overlooked, as they often provide funding for other criminal activities; The European Parliament 'notes that emerging criminal activities such as environmental crime, organised property crime or trafficking in cultural goods should not be overlooked, as they often provide funding for other criminal activities;'
45	Commission	2021	Communication on the EU Strategy to tackle OC 2021-2025	31	4	'Networked environment where cooperation between criminals is fluid, systematic and driven by a profit-oriented focus', 'international'	Financing of criminal organisations, money laundering	'Trafficking of cultural goods has a devastating impact on countries' cultural heritage and it provides means of financing for criminal organisations and it is instrumental for money laundering'

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46	Commission	2021	Communication	30	1	No	No	'EU legislation on the import of cultural goods aims to stop imports of cultural goods illicitly exported from their country of origin. Implementing provisions are now being put in place for a centralised electronic system for the Import of Cultural Goods (ICG), which will allow the storage and exchange of information between Member States and the accomplishment of import formalities. The general prohibition rule provided in the Regulation entered into force on 28 December 2020 allowing Member States customs authorities to control and act on shipments which may contain cultural goods illicitly exported from their country of origin.'
47	Council	2021	Conclusions setting the EU's priorities for EMPACT 2022-2025	13	1	Organised, highly mobile and operating across the EU	No	The aim of the priority on organised property crime is 'to disrupt criminal networks involved in organised burglaries and theft, organised robberies, motor vehicle crime and illegal trade in cultural goods, with a special focus on those that are highly mobile and operating across the EU.'
48	Council	2021	Conclusions on EU Approach to Cultural Heritage in conflicts and crises	6	1	No	Organised crime, terrorist financing	The Council 'stresses that illegal excavation, looting and trafficking of cultural property is linked to serious security threats, as it provides means for financing of organised criminal and terrorist activities. It also has a socio-cultural impact, as it is a political tool to weaken communities and identities.'
49	Europol	2021	EU SOCTA 2021	108	4	No	Theft and robbery of original cultural goods; looting, forgery	'Cultural goods crime or the illegal trade of cultural goods includes three main criminal phenomena. Theft and robbery of original cultural goods; looting, the illicit removal of ancient relics from archaeological sites, buildings or monuments and illegal trade of these; and forgery...'

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50	Commission	2022	Communication on the EU Action Plan against Trafficking in Cultural Goods	17	15	'a lucrative business for organised crime, and in some cases for conflict parties and terrorists', a 'complex, inherently transnational criminal phenomenon'	Fraud, disposal of stolen goods (fencing), smuggling, or corruption, money laundering, sanctions evasion, tax evasion or terrorism financing	The Plan identifies the detection of illicit financial flows as a key component of the fight against cultural goods trafficking and recognises that the prevalence of money laundering or terrorism financing with legally acquired cultural goods requires particular attention.
51	Commission	2022	Communication on the Fifth Progress Report on the implementation of the EU Security Union Strategy	22	3	No	Organised crime, money laundering, sanctions evasion, tax evasion, terrorist financing	'The illicit trafficking of cultural property is a lucrative business for organised crime groups, and in some cases for conflict parties and terrorists. It therefore stimulates organised crime, as well as having a damaging impact on cultural heritage. Criminals can abuse even legally acquired cultural goods, for money laundering, sanctions evasion, tax evasion or terrorism financing. In order to strengthen the fight against the trafficking of cultural goods the Commission is today adopting an action plan.'
52	Council	2022	Recommendation on operational law enforcement cooperation	12	1	Security threats to the proper functioning of the Schengen area posed by serious and organised international crime	No	The annex includes in the list of criminal offences referred to 'illicit trafficking in cultural goods, including antiques and works of art'
53	Europol	2022	EU TE-SAT	96	1	No	Terrorism	'Trafficking in cultural goods stolen from conflict areas has been associated with criminal groups in the EU and may be another instrument in the hands of terrorist groups active in such regions to expand their influence and build on their capabilities.'

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54	Commission	2023	Joint Communication on the fight against corruption	21	3	No	Corruption	'Initiatives to combat specific risks of organised crime also help to limit the opportunities for corruption. An example is trafficking in cultural goods, where the December 2022 EU Action Plan against Trafficking in Cultural Goods provides a comprehensive framework for the EU and the Member States to advance prevention, detection and criminal justice response to cultural goods trafficking.'
55	Parliament and Council	2023	Regulation on European Production Orders and European Preservation Orders	63	2	'Criminal offences punishable in the issuing State by a custodial sentence of a maximum of at least three years'	No	'Illicit trafficking in cultural goods, including antiques and works of art', is included in the list of offences for which an EPO shall be executed without verification of the double criminality of the acts
56	Parliament and Council	2023	Proposal for a Directive of the European Parliament and of the Council on combating corruption	46	3	Yes	Corruption, money laundering, organized crime, sanctions evasion	"Trafficking in cultural goods is a lucrative business for organised crime. Beyond trafficking, criminals can abuse even legally acquired cultural goods, for money laundering and sanctions evasion. On 13 December 2022, the Commission adopted the EU Action Plan against Trafficking in Cultural Goods which provides a comprehensive framework for the EU and the Member States to advance prevention, detection and criminal justice response to cultural goods trafficking and related crimes, including corruption"
57	Council	2023	Conclusions setting the EU's priorities for the fight against serious and organised crime for EMPACT 2022-2025	13	1	'Serious and organised crime', 'organised and serious international crime', 'highly mobile and operating across the EU'	No	It is explained that the aim of the priority Organised Property Crime is 'to disrupt criminal networks involved in organised burglaries and theft, organised robberies, motor vehicle crime and illegal trade in cultural goods, with a special focus on those that are highly mobile and operating across the EU.'



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58	Council	2023	Conclusions on the fight against trafficking in cultural goods	10	22	No	Money laundering, terrorism financing, organised crime	'Trafficking in cultural goods is a lucrative business for organised crime'

EU policy documents mentioning the terms 'organised crimes', 'organised property crimes', 'transnational organised crimes', 'organised and serious international crimes', 'serious crimes', 'serious organised crimes', 'serious organised cross-border crimes', 'serious international organised crimes', 'serious forms of organised crime', 'serious and organised crimes', 'serious crime activities', but NOT the terms 'cultural property crime', 'trafficking' of or 'illicit trade' in 'cultural goods', 'cultural property', 'cultural heritage', 'works of art', 'antiques' or 'antiquities' (1993-2023;  $n=180$ )

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1	n.a.	1993	Treaty of Maastricht	112	0	No	No	No
2	Council	1997	Action Plan to Combat Organized Crime	18	0	No	No	No
3	n.a.	1997	Treaty of Amsterdam	144	0	No	No	No
4	Council	1998	Joint Action on the Creation of a European Judicial Network	4	0	No	No	No
5	Council	1998	Pre-Accession Pact on Organized Crime	5	0	No	No	No
6	Council	1999	Recommendation on cooperation in combating the financing of terrorist groups	3	0	No	No	No

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7	Council	1999	Joint Position on UN Convention against Organised Crime	2	0	No	No	No
8	Council	1999	Tampere Presidency Conclusions	13	0	No	No	No
9	Council	2000	Convention on Mutual Assistance in Criminal Matters	21	0	No	No	No
10	Council	2000	Decision Setting Up a Provisional Judicial Cooperation Unit	2	0	No	No	No
11	Council	2000	Explanatory Report on the Convention on Mutual Assistance in Criminal Matters	23	0	No	No	No
12	Council	2000	Millennium Strategy on Organized Crime	33	0	No	No	No
13	n.a.	2001	Treaty of Nice	87	0	No	No	No
14	Parliament and Council	2001	2 <sup>nd</sup> Anti-Money Laundering Directive (AMLD)	6	0	No	No	No
15	Council	2002	Decision Setting up Eurojust	13	0	No	No	No
16	Council	2002	Framework Decision on combating terrorism	5	0	No	No	No
17	Commission	2003	Decision on Setting up the Experts Group on Trafficking in Human Beings	3	0	No	No	No

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18	Council	2003	Directive on the Right to Family Reunification	7	0	No	No	No
19	Council	2003	Directive Concerning the Status of Third-Country Nationals Who Are Long-Term Residents	10	0	No	No	No
20	Council	2003	Framework Decision on combatting corruption in the private sector	3	0	No	No	No
21	Council	2003	Conclusions on First annual Eurojust Report	5	0	No	No	No
22	Eurojust	2003	Annual Report 2002	40	0	No	No	No
23	n.a.	2004	(draft) Treaty Establishing a Constitution for Europe	471	0	No	No	No
24	Council	2004	Directive on the Conditions of Admission of Third-Country Nationals for the Purposes of Studies	7	0	No	No	No
25	Council	2004	Conclusions on Second Annual Eurojust Report	3	0	No	No	No
26	European Commission (Commission)	2004	Communication on Measures to Combat Terrorism and Other Forms of Serious Crime	6	0	No	No	No
27	Eurojust	2004	Annual Report 2003	70	0	No	No	No

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28	Eurojust (Joint Supervisory Body)	2004	Act Laying Down its Rules and Procedures	7	0	No	No	No
29	Europol	2004	EU Organised Crime Report	28	0	No	No	No
30	European Parliament and Council	2005	Third AMLD	22	0	No	No	No
31	Council	2005	The Hague Programme	14	0	No	No	No
32	Council	2005	Conclusions on the Eurojust Annual Report 2004	6	0	No	No	No
33	Eurojust	2005	Annual Report 2004	100	0	No	No	No
34	Eurojust (College of)	2005	Rules of Procedure on the Processing and Protection of Personal Data	10	0	No	No	No
35	Europol	2005	Annual Report 2004	34	0	No	No	No
36	Council	2006	Conclusions on the Eurojust Annual Report 2005	6	0	No	No	No
37	Eurojust	2006	Annual Report 2005	116	0	No	No	No
38	Europol	2006	Annual Report 2005	45	0	No	No	No
39	Europol	2006	EU Organised Crime Threat Assessment (OCTA) 2006	26	0	No	No	No
40	n.a.	2007	Treaty of Lisbon	271	0	No	No	No

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41	Council	2007	Decision Establishing the Specific Programme ‘Criminal Justice’	6	0	No	No	No
42	Council	2007	Conclusions on the Eurojust Annual Report 2006	6	0	No	No	No
43	Europol	2007	Annual Report 2006	60	0	No	No	No
44	Europol	2007	EU OCTA 2007	32	0	No	No	No
45	n.a.	2008	Treaty on the Functioning of the European Union	152	0	No	No	No
46	Council	2008	Decision on the Stepping up of Cross-Border Cooperation (Prüm Decision)	11	0	No	No	No
47	Council	2008	Decision on the implementation of the Decision on the Stepping up of Cross-Border Cooperation	61	0	No	No	No
48	Council	2008	Decision concerning Access for Consultation of the Visa Information System	8	0	No	No	No
49	Council	2008	Decision on the European Judicial Network	5	0	No	No	No

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50	Council	2008	Framework Decision on the Fight against Organized Crime	4	0	No	No	No
51	Council	2008	Conclusions on the Eurojust Annual Report 2007	6	0	No	No	No
52	Commission	2008	Decision setting up the Platform on Electronic Data retention	4	0	No	No	No
53	Eurojust	2008	Annual Report 2007	84	0	No	No	No
54	Europol	2008	EU OCTA 2008	56	0	No	No	No
55	Council	2009	Decision on the Strengthening of Eurojust	19	0	No	No	No
56	Council	2009	Conclusions on the Eurojust Annual Report 2008	6	0	No	No	No
57	Eurojust (Joint supervisory body of)	2009	Act of the Joint Supervisory Body of Eurojust	8	0	No	No	No
58	Europol	2009	EU OCTA 2009	68	0	No	No	No
59	Europol	2009	Annual Report 2008	96	0	No	No	No
60	Council	2010	Conclusions on EU Policy Cycle for Organised and Serious International Crime	12	0	No	No	No
61	Council	2010	Stockholm Programme	38	0	No	No	No

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62	Commission	2010	EU Internal Security Strategy	24	0	No	No	No
63	Council	2010	Conclusions on Eurojust Annual Report 2009	8	0	No	No	No
64	Eurojust	2010	Annual Report 2009	60	0	No	No	No
65	Europol	2010	Europol Review 2009	56	0	No	No	No
66	Europol	2010	Europol Strategy 2010-2014	28	0	No	No	No
67	Parliament and Council	2011	Directive on Preventing and Combating Trafficking in Human Beings	11	0	No	No	No
68	Parliament and Council	2011	Directive on combating the sexual abuse and sexual exploitation of children and child pornography	14	0	No	No	No
69	Parliament and Council	2011	Directive on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection	18	0	No	No	No
70	Council	2011	Conclusions on Eurojust Annual Report 2010	6	0	No	No	No
71	Eurojust	2011	Annual Report 2010	86	0	No	No	No



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72	Eurojust	2011	Multi-annual Strategic Plan 2012-2014	12	0	No	No	No
73	Europol	2011	Europol Review 2010	64	0	No	No	No
74	Europol	2011	OCTA 2011	52	0	No	No	No
75	Europol	2011	IOCTA	11	0	No	No	No
76	Europol	2011	Trafficking in Human Beings in the EU	41	0	No	No	No
77	Frontex	2011	General Report 2010	50	0	No	No	No
78	Council	2012	Conclusions on the Eurojust Annual Report 2011	6	0	No	No	No
79	Parliament and Council	2012	Victims’ Directive	17	0	No	No	No
80	Eurojust	2012	Annual Report 2011	80	0	No	No	No
81	Eurojust	2012	Strategic Project on Eurojust’s action against Trafficking in Human Beings	72	0	No	No	No
82	Europol	2012	EU Policy Cycle SOCTA Empact	2	0	No	No	No
83	Europol	2012	Europol Review	82	0	No	No	No
84	Europol	2012	Making Europe Safer	28	0	No	No	No
85	Frontex	2012	General Report 2011	31	0	No	No	No
86	Frontex	2012	Programme of Work 2012	135	0	No	No	No

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87	Parliament and Council	2013	Directive on Common Procedures for Granting and Withdrawing International Protection	36	0	No	No	No
88	Parliament and Council	2013	Directive on the Right of Access to a Lawyer	12	0	No	No	No
89	Parliament and Council	2013	Regulation Establishing Eurosur	16	0	No	No	No
90	Parliament and Council	2013	Regulation laying down the Union Customs Code	101	0	No	No	No
91	Parliament and Council	2013	Directive on attacks against information systems	7	0	No	No	No
92	Commission	2013	Regulation Establishing a Union Registry	59	0	No	No	No
93	Council	2013	Conclusions on the Eurojust Annual Report 2012	6	0	No	No	No
94	Parliament	2013	Communication Stepping up the fight against cigarette smuggling and other forms of illicit trade in tobacco products	21	0	No	No	No
95	Eurojust	2013	Annual Report 2012	68	0	No	No	No
96	Europol	2013	Data Protection at Europol	40	0	No	No	No
97	Europol	2013	EU SOCTA 2013	52	0	No	No	No

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98	Europol	2013	Threat Assessment – Italian Organised Crime	18	0	No	No	No
99	Frontex	2013	General Report 2012	72	0	No	No	No
100	Frontex	2013	Annual Risk Analysis 2013	84	0	No	No	No
101	Frontex	2013	Fundamental rights training for border guards	163	0	No	No	No
102	Parliament and Council	2014	Directive on the freezing and confiscation of instrumentalities and proceeds of a crime in the EU	12	0	No	No	No
103	Parliament and Council	2014	Directive on the protection of the euro against counterfeiting by criminal law	8	0	No	No	No
104	Eurojust	2014	Annual Report 2013	68	0	No	No	No
105	Eurojust	2014	Multi-Annual Strategy 2016-2018	12	0	No	No	No
106	Europol	2014	Review 2013	60	0	No	No	No
107	Europol	2014	IOCTA 2014	92	0	No	No	No
108	Frontex	2014	General Report 2013	84	0	No	No	No
109	Parliament and Council	2015	4 <sup>th</sup> AMLD	45	0	No	No	No
110	Parliament and Council	2015	CEPOL Regulation	20	0	No	No	No
111	Council	2015	Council Conclusions 17-18 December 2015	9	0	No	No	No

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112	Parliament	2015	Resolution on the European Agenda on Security	9	0	No	No	No
113	Europol	2015	Annual Review 2014	40	0	No	No	No
114	Europol	2015	EU Terrorism Situation and Trend Report (TE-SAT) 2015	52	0	No	No	No
115	Europol	2015	IOCTA 2015	76	0	No	No	No
116	Frontex	2015	General Report 2014	76	0	No	No	No
117	Parliament and Council	2016	Regulation on the Schengen Borders Code	52	0	No	No	No
118	Parliament and Council	2016	Regulation on the European Border and Coast Guard (FRONTEX Regulation, consolidated text)	76	0	No	No	No
119	Eurojust	2016	Annual Report 2015	88	0	No	No	No
120	Eurojust	2017	Multi-Annual Strategy 2019-2021	12	0	No	No	No
121	Europol	2016	Annual Review 2015	52	0	No	No	No
122	Europol	2016	IOCTA 2016	72	0	No	No	No
123	Europol	2016	EU TE-SAT 2016	60	0	No	No	No
124	Frontex	2016	General Report 2015	68	0	No	No	No

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125	Leaders of 27 MS, Council, Parliament and Commission	2017	The Rome Declaration	2	0	No	No	No
126	Council	2017	Conclusions on setting the EU’s priorities for the fight against organised and serious international crime between 2018 and 2021	10	0	No	No	No
127	Parliament and Council	2017	Directive on the fight against fraud to the Union’s financial interests by means of criminal law	13	0	No	No	No
128	Parliament and Council	2017	EPPO Regulation	71	0	No	No	No
129	Europol	2017	IOCTA 2017	80	0	No	No	No
130	Parliament and Council	2018	???	9	0	No	No	No
131	Parliament and Council	2018	Regulation on the SIS	51	0	No	No	No
132	Council	2018	EU Policy Cycle for organised and serious international crime 2018-2021	6	0	No	No	No
133	Eurojust	2018	Annual Report 2017	70	0	No	No	No
134	Europol	2018	IOCTA 2018	72	0	No	No	No

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135	Europol	2018	EU TE-SAT 2018	70	0	No	No	No
136	Frontex	2018	Annual Activity Report 2017	84	0	No	No	No
137	Parliament and Council	2019	Directive on combating fraud and counterfeiting of non-cash means of payment	12	0	No	No	No
138	Parliament and Council	2019	Directive amending directive on ECRIS	8	0	No	No	No
139	Parliament and Council	2019	Regulation establishing ECRIS-TCN	26	0	No	No	No
140	Parliament and Council	2019	Regulation on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation	51	0	No	No	No
141	Parliament and Council	2019	Regulation on the European Border and Coast Guard (FRONTEX Regulation)	131	0	No	No	No
142	Eurojust	2019	Annual Report 2018	49	0	No	No	No
143	Europol	2019	IOCTA 2019	63	0	No	No	No
144	Europol	2019	EU TE-SAT 2019	82	0	No	No	No
145	Frontex	2019	2018 In Brief	40	0	No	No	No
146	Commission	2020	Communication 2020-2025 EU action plan on firearms trafficking	16	0	No	No	No

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147	Commission	2020	Communication EU Agenda and Action Plan on Drugs 2021-2025	17	0	No	No	No
148	Council	2020	Conclusions on Eurojust Annual Report 2019	5	0	No	No	No
149	Eurojust	2020	Annual Report 2019	62	0	No	No	No
150	Europol	2020	IOCTA 2020	64	0	No	No	No
151	Europol	2020	EU TE-SAT 2020	98	0	No	No	No
152	Frontex	2020	2019 In Brief	40	0	No	No	No
153	Frontex	2020	Risk Analysis for 2020	72	0	No	No	No
154	Council	2021	Conclusions on the permanent continuation of EMPACT 2022+	11	0	No	No	No
155	Council	2021	EMPACT Terms of Reference	38	0	No	No	No
156	Eurojust	2021	Annual Report 2020	62	0	No	No	No
157	Eurojust	2021	Multi-Annual Strategy	10	0	No	No	No
158	Europol	2021	IOCTA 2021	45	0	No	No	No
159	Europol	2021	EU TE-SAT	114	0	No	No	No
160	Frontex	2021	2020 In Brief	46	0	No	No	No
161	Frontex	2021	Risk Analysis for 2021	66	0	No	No	No
162	Council	2022	Proposal for a Council Decision on adding the violation of Union restrictive measures to Article 83(1) TFUE	18	0	No	No	No

No.	Issuing body	Year	Short title	No. pages	No. mentions of “trafficking in cultural goods”, in “cultural heritage”, “cultural property”, etc.	Criterion to identify the trafficking of cultural goods as organised/serious crime	Other forms of organised crime mentioned in connection with cultural property crime	Joint use of terms
163	Parliament and Council	2022	Regulation amending Eurojust Regulation on the preservation, analysis and storage at Eurojust of evidence relating to genocide, crimes against humanity, war crimes and related criminal offences	5	0	No	No	No
164	Eurojust	2022	Annual Report 2021	80	0	No	No	No
165	Frontex	2022	2021 In Brief	38	0	No	No	No
166	Frontex	2022	Risk Analysis for 2022/2023	62	0	No	No	No
167	Parliament and Council	2023	Directive on the exchange of information between the LEAs of MS	24	0	No	No	No
168	Parliament and Council	2023	Regulation amending Regulation on digital information exchange in terrorism cases	14	0	No	No	No
169	Council	2023	Conclusions on the permanent continuation of the EU Policy Cycle for organised and serious international crime: EMPACT 2022+	11	0	No	No	No



No.	Issuing body	Year	Short title	No. pages	No. mentions of “trafficking in cultural goods”, in “cultural heritage”, “cultural property”, etc.	Criterion to identify the trafficking of cultural goods as organised/serious crime	Other forms of organised crime mentioned in connection with cultural property crime	Joint use of terms
170	Eurojust	2023	Annual Report 2022	78	0	No	No	No
171	Europol	2023	Criminal Networks in Migrant Smuggling	10	0	No	No	No
172	Europol	2023	EU TE-SAT 2023	94	0	No	No	No
173	Europol	2023	IOCTA 2023	14	0	No	No	No
174	Europol	2023	Cyber-Attacks: the Apex of Crime-As-A-Service	22	0	No	No	No
175	Europol	2023	Online Fraud Schemes	20	0	No	No	No
176	Europol	2023	European Financial and Economic Threat Assessment 2023	58	0	No	No	No
177	Europol and Security Steering Committee of the ports of Antwerp, Hamburg/Bremerhaven and Rotterdam	2023	Criminal Networks in EU Ports	24	0	No	No	No
178	EPPO	2023	Annual Report 2022	54	0	No	No	No
179	Frontex	2023	2022 In Brief	40	0	No	No	No
180	Frontex	2023	Risk Analysis for 2023/2024	62	0	No	No	No

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## Declarations

**Competing Interest** The author declares that she has no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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