

Protecting *the Weak*

Entangled Processes of Framing, Mobilization and Institutionalization in East Asia

Protecting Asia's Cultural Artefacts. The Fight against Looting, Smuggling and Illicit Art Trade

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Many parts of Asia continue to suffer from the devastating effects of illicit art trafficking, the looting of cultural artefacts, and art theft. These problems are exacerbated by the continuous demand of 'new' items by the globalized art market, which is supplied by a highly efficient network of international auctioneers, art dealers, organized crime, middlemen, and looters. The damage goes far beyond the material damage, as looting culturally impoverishes societies and destroys heritage sites and archaeological context.

While all Asian jurisdictions feature some laws dedicated to the protection of their cultural property, looting, art theft, and the trafficking of illegally obtained cultural artefacts, many face substantial problems regarding their enforcement in view of the increased trade within and beyond the region, simplified circulation of goods, and the increasingly sophisticated methods of smuggling networks. In addition, it is usually very difficult – if not impossible – to track and identify cultural artefacts once they have been smuggled across the border.

The lecture argues in favor of increased international solidarity and the development of further bilateral agreements between market and source countries, rigorous enforcement of existing laws, and enhanced regional cooperation in investigations and prosecutions of related crimes, stricter control of the art market, and easier repatriation of illegally exported artefacts. Several case studies from Cambodia, China, India and Thailand are discussed.

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Campus Westend, seminar house, SH 2.105**

Dr. Stefan Gruber is an associate professor at the Hakubi Center for Advanced Research of Kyoto University in Japan. Previously, he taught at Sydney Law School and held several visiting positions at universities in China and the Asia Pacific. He was educated at the Universities of Sydney, Frankfurt, Mainz, and at Harvard Law School, and holds degrees in law, philosophy, and political science. His research concentrates on cultural heritage protection, illicit art trafficking, sustainable development and environmental law, regional security and cooperation, and human rights, with a regional focus on East and Southeast Asia.

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