



UNESCO 1970 meeting Paris May 15th 2017

My name is Vincent Geerling, I am an art dealer from the Netherlands and today I represent here the Confédération Internationale des Négociants en Oeuvres d'Art, also known as CINOA, the worldwide umbrella organization of art and antique dealer organizations with high standards of ethics and due diligence. I represent 5,000 art and antique dealers and through them also try to give a voice to the millions of collectors of cultural property that never get a chance to speak to those gathered here today.

“At the end of the 1960s and beginning of the 1970s, thefts were increasing both in museums and at archaeological sites, particularly in the countries of the South. In the North, private collectors and, sometimes, official institutions, were increasingly offered objects that had been fraudulently imported or were of unidentified origin.

It is in this context, and to address such situations, that the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property was created in 1970.”

The words I have just spoken form the introduction text to today's UNESCO 1970's website.

Now, 45 years after the convention came into force, things have changed dramatically in the art market. It is the achievement of UNESCO 1970 that art and antique dealers have cleaned up their act where necessary and every member organization of CINOA has a strict code of ethics and due diligence rules. However, in recent years, art and antique dealers have suffered from the fact that in the debate no distinction is made between illicit activities, that you and I want to fight, and the legitimate trade that has a tradition dating back hundreds of years, and which I represent here today.

Because of the awareness and measures generated by UNESCO, trafficking of cultural goods has diminished dramatically in the past 45 years and it is time to acknowledge that. The focus of UNESCO's efforts should turn more to tackling the problem at the roots, in the source countries. This has been done to a certain extent by the educational programs in place, but this is not enough. Most of the attention has been focused on the return of cultural property, thus fighting the symptoms and not the causes of trafficking. But all the signatories of the convention have also committed themselves to **obligations**, the most important of which are formulated in **Art. 5**. Let me refresh your memory on some; I quote:

(Art. 5 b) “establishing and keeping up to date, on the basis of a national inventory of protected property, a list of important public and private cultural property whose export would constitute an appreciable impoverishment of the national cultural heritage”; (unquote)



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Ladies and gentlemen, the art world has been waiting for those lists for decades, in order to improve its due diligence process, but with the exception of a few countries like The Netherlands and Germany, there are to my knowledge no lists available from any of the source countries. UNESCO needs to help those countries fulfil their obligations. With the tragedies unfolding over the past few years in Iraq, Syria and now Yemen, now is the time to do so.

The formulating of the obligations and benefits from the convention has been a long and careful process. Therefore it is important to point to another obligation, formulated in Art. 5 d, I quote:

(d) *“organizing the supervision of archaeological excavations, ensuring the preservation in situ of certain cultural property, and protecting certain areas reserved for future archaeological research”*; unquote.

If source countries had fulfilled this obligation, severe damage to archaeological sites would have been prevented, thus protecting the objects in their context, “in situ” as the convention obliges. That is crucial for archaeology. Once the context of an object is lost, the object has lost its archaeological value for ever. Such objects might be returned to the country of origin, but this will not give them back their archaeological value. Therefore **prevention by protection** as clearly formulated in art. 5 is of vital importance. I propose that this should be the primary aim of UNESCO in the years to come.

When I spoke at UNESCO’s conference here in March last year, I highlighted the need to make sure that claims put forward as evidence had to be based on independently verifiable facts or we risk adopting inappropriate policy. I would like to submit five recent reports showing there is no evidence of any significant trafficking of cultural goods from the conflict zones that could be financing ISIS.

- Kings College London report: *ICSR-Report-Caliphate-in-Degradation-An-Estimate-of-Islamic-States-Financial-Fortunes. 2017*
- Dutch police war crimes unit report October 2016: *Cultural Property War crimes and Islamic State*
- Centre d’analyse du terrorisme: *Note-intermédiaire-commerce-illicite-décembre-2016*
- IADAA Pandora analysis: *Operation Pandora shows that Europe is NOT a haven for cultural property looted from war zones.*
- Homeland Security article: *Special analysis; Antiquities Sales Supporting ISIS Fails The Test Of Robustness.*

Furthermore, the legitimate art market is not secret: 80% is done in public (via auctions, fairs, etc.) while 20% of art objects are sold in galleries.

Instead of calling for ever more laws and measures to be introduced, why not focus on those that already exist and are clearly working, and make sure they are properly enforced.



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I hereby thank UNESCO for allowing me the time to speak on behalf CINOA, representing 5,000 art and antique dealers and would like to repeat my five main points :

- 1 The trade is as horrified by the destruction and iconoclasm as anyone else and we share a common cause in wishing to defeat it.
- 2 The trade has more incentive than anyone else to stop the crooks because of the damage they risk causing the reputation of the legitimate trade.
- 3 The focus should now be on Article 5 which has not been adopted fully in source countries.
- 4 Claims of illicit activity –should always be supported by independently verifiable evidence or not treated as credible.
- 5 We will not find a workable solution unless all parties to the debate work together including Art Professionals – both dealers and auction houses.

I have tried to keep this speech as brief as possible and I will submit it with the reports. I ask that these are included in the minutes of the meeting. Thank you for your attention.

VJG 11-5-2017

Links to the above mentioned documents;

Caliphate in Decline: An Estimate of Islamic State's Financial Fortunes – The International Centre for the Study of Radicalisation and Political Violence, 2017
<http://goo.gl/VidSZj>

Illicit trade and financing of terrorism – Centre d'Analyse du Terrorisme
<http://goo.gl/iPv2tx>

Cultural Property, War Crimes and Islamic State. Destruction, plunder and trafficking of cultural property and heritage by Islamic State in Syria and Iraq – a war crimes perspective. A report commissioned by the Dutch National Police, Central Investigation Unit, War Crimes Unit <http://goo.gl/rNhQgb>

Report That Antiquities Sales Is Major ISIS Funding Source Disputed By Authorities – Homeland Security Today 07-01-2017 <http://goo.gl/UwlEn9>

SPECIAL ANALYSIS: Antiquities Sales Supporting ISIS Fails The Test Of Robustness – Homeland Security Today 27-02-2017 <http://goo.gl/TUlnbH>

IADAA investigates operation Pandora results (with pictures) 28-03-2017
<http://goo.gl/145oH7>