



INTERNATIONAL ASSOCIATION OF DEALERS IN ANCIENT ART

Amsterdam, 6-10-2017

OPEN LETTER TO MR FRANCESCO BANDARIN,
ASSISTANT DIRECTOR-GENERAL FOR CULTURE a.i. UNESCO

Dear Mr Bandarin,

Thank you for your letter of 31 August 2017 and the consideration you have given to the points I raised. Ref: CLT/HER/MHM/17/4537

I agree that the authorities seem to be having a great deal of difficulty finding evidence of any terrorist-linked material emanating from Syria and Iraq in Europe. As you may know, Interpol advise that they have no figures at all to indicate the scope of the problem and expect that they never will have any data to show it. (See <http://goo.gl/ZWGXCp>)

This may also explain why the ILLICID project, run by Markus Hilgert, has so far published no interim results from its two years and more of research. Although the project lasts until February next year, we had expected Mr Hilgert to give an initial view of what he had found so far when he addressed UNESCO's (Fourth) Meeting of State Parties to the Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property in Paris on May 15. Unfortunately he did not do so.

I am sure you have seen the recently published Deloitte Report, *Fighting illicit trafficking in cultural goods: analysis of customs issues in the EU*, commissioned by the European Commission (see <http://goo.gl/iWYMWf>). That report has now confirmed that no evidence at all can be found of terrorism-related cultural property entering the EU. It even produces a useful graph (Figure 30) to show this on page 120.

When the Deloitte Report asked the 28 EU member states how many seizures of suspicious items they had made since 2013, the responses showed only a handful, with none so far shown to be linked to terrorist activity (see pp100-101). Germany, often criticised as a hub for the distribution of looted material, yielded only one result, a single Sumerian clay cuneiform tablet, since returned to Iraq.

This reflects the findings of last year's Operation Pandora (see: <http://goo.gl/145oH7>), conducted across 18 EU states under the guidance of Europol, which later confirmed that **not one** of the seized items had come from a conflict zone.

In fact, since serious study of the ISIS problem began several years ago, governments, NGOs, law enforcement and others have singularly failed to show any influx of relevant looted material into the EU, despite the vast resources devoted to this task.

I thank you also for your suggestion of contacting Ms Frederique Gautier. The IADAA deputy chairman, Antonia Eberwein, had the pleasure of meeting her at the UNESCO conference in May and was interested to be told unofficially that the issue of illicit trafficking took less than 5% of their time and that they have still not been able to show any evidence for a connection with terror financing.

With reference to the satellite images showing looting holes, it is clear that there has been a great deal of digging going on, and the damage is horrible. However, digging is not finding, and as any archaeologist will tell you, it is common to dig for months in an area and not find a single thing of monetary value, so while the images do, indeed, show devastation, they give no idea at all as to what may have been taken. Added to this is the problem that some of these sites have been looted previously some years ago. Likewise, while the UN Security Council Resolutions 2199, 2253 and 2347 aim to tackle the risk of trafficked material and terrorism finance, they do not, in themselves, provide any evidence of the scale of this threat.

I am pleased to say that the Deloitte Report acknowledges the rights of the legitimate trade and the risks to those rights by some of the proposals under consideration by the European Commission. As page 158 of the report warns: "Imposing a too heavy burden on traders could result in the impediment of licit trade, potentially even enhancing the trafficking in cultural goods."

This recognition at the most senior EU level of the importance of protecting the legitimate trade is a vital step in a balanced approach to tackling the evils of ISIS and the threat of terrorism to cultural heritage. This is, in part, why I wrote to Miss Bukova asking her to make a clear public distinction between the legitimate trade and the criminals, and for her to express her support for the former, as the European Commission's published report now does. It is of some concern that this point was not addressed in your reply.

We have been campaigning with other trade associations for some time now for the authorities and other interested parties to include the trade in its fight against the criminals. As we have said many times and again set out in the letter to Ms Bukova:

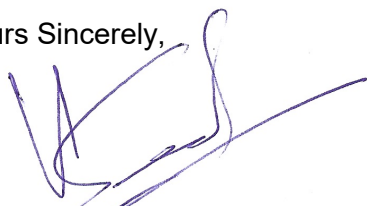
- The trade is as horrified by the destruction and iconoclasm as anyone else and we share a common cause in wishing to defeat it.
- The trade has more incentive than anyone else to stop the crooks because of the damage they risk causing the reputation of the legitimate trade.
- We will not find a workable solution unless all parties to the debate (Law enforcement, Politicians, Academics, Archaeologists, Curators and the trade) work together.

The Deloitte Report now recognises the importance of engaging the trade as colleagues in this fight. Meanwhile we have been calling for the focus to shift to protecting vulnerable archaeological sites in situ, as member states are obliged to do under Article 5 of the Convention. Cutting off the problem at source will do a great deal more good than focusing on areas where there is no evidence of wrongdoing.

We believe a more constructive relationship is possible if the authorities took more care not to damage the interests of the legitimate trade in the pursuit of the laudable aim of fighting the terrorists, looters and smugglers.

We are highly active in strengthening compliance, monitoring developments and looking for more effective means of tackling crime and I would be delighted to have the opportunity to discuss with you better ways of engaging public and trade support in our shared cause.

Yours Sincerely,



Vincent Geerling
(Chairman)