

## “The view of the organized legitimate trade on ways to prevent trafficking and destruction of Iraqi cultural heritage”

Your excellence's, ladies and gentlemen, my name is Vincent Geerling, I am an art dealer from the Netherlands and today I may represent here the organized art and antiques trade in Europe. We wish to express our gratitude, that for the first time, we have been invited by the Council of the European Union to participate in the debate. I speak specifically on behalf of the ADA, <http://theadada.co.uk> CINOA, <https://www.cinoa.org> IADAA <http://iadaa.org>

Together these organizations represent about 5.000 art and antique dealers. All three organizations have their codes of ethics and strict due diligence guidelines. You will receive a pdf of my presentation with links to websites and other documents I refer to, so you can study the facts in detail later

It is the achievement of UNESCO 1970 that during the past 45 years, the organized art and antique dealers have cleaned up their act where necessary and it is time to acknowledge that. Therefore I congratulate UNESCO with this achievement, but at the same time we ask to focus now on the protection of cultural heritage in the source countries, as formulated in UNESCO Art 5.

In the debate, “the illicit market” is often mentioned, ladies and gentlemen, **there is no illicit market**. There certainly are single illicit transactions and there are always some black sheep among us like in every industry, but there is no organized illicit market, comparable to the drugs market. Therefore the often heard comparison of cultural goods with the drugs market is absolutely unacceptable.

The dealers that I represent, as well as the renowned auction houses that deal with antiquities; *relics from the ancient cultures in Mesopotamia, Greece, Egypt and the Roman Empire*, conduct their business in a transparent way. They deal with objects that have been in private collections in Europe and the USA for decades and sometimes even centuries. We estimate that in Europe and the USA, there are **several millions** of these objects to which collectors have legal title, enough objects to keep everybody happy. Therefore, the one thing our members do NOT do, is buying IN the source countries. Illicit goods are toxic for us, they are just stolen goods.

Our members, established dealers, can only be successful because:

- We follow our code of ethics and due diligence guidelines
- we have premises in prominent places,
- we issue expensive printed catalogues,
- we present ourselves with well-designed websites
- we participate in distinguished Art Fairs, open to the public.
- we invest our own money in objects we hope to sell to famous museums and well known private collectors.
- we are transparent.

This is completely different from low grade unvetted internet sales.

It should be obvious that we adhere to the highest standards, both on provenance and authenticity, otherwise our reputation and our business is at risk. Just one more thing, the majority of our members have a passion for our shared past. It is an illusion that the art market is full of rich people, the majority of us are small enterprises. If you want to become rich, you better deal in second hand cars.



This invoice with airway bill is from 1974. As you can see, the Asfan Brothers made a detailed three page invoice, however, no match with any of the 250 objects is possible. Today, European legislators, without knowledge on the subject, want us dealers to provide **the old licence as evidence** that the object was imported legally, as you can understand, this is impossible. What I showed are rather low valued objects, though sometimes high prices are achieved.

This brings me to **the size of the legitimate antiquities market** of Europe and the USA. IADAA has done a research and the outcome is

**a stable € 150 million to € 200 million Euro's**, excluding the other, different market, the low grade internet sales of which we have no figures.

Maybe the next speaker from E-bay can elaborate on that. By the way, Mesopotamian antiquities are not very sought' after and make up less than 5% of this market.

So you can imagine that we were shocked in 2014 when we saw a German documentary: *"the looted heritage, terror financing by German auction houses"* the German minister of culture Mrs. Grütters stated on television that, I quote: *"it is a billions business, we know that the trade with artworks comes in third place after drugs and weapons."* end of quote.



And nobody asked her for the evidence for this information. Is it true? No it is not. A few minutes later the German police commissioner Mrs. Karfeld gives an impressive number by stating on TV that this global business is **6 to 8 billion dollar** and nobody asked how the illicit market could be **forty times bigger** than the legal market.

Immediately we saw the newspapers competing with the billions in their headlines; We do blame the media that they did not question the figures. Well ladies and gentlemen, these are fantasy figures that have nothing to do with the facts.

So what the art trade faces here is **trial by media** over and over again.

Statements by Ministers and other high officials **should be based on facts**, but these statements turn out to be **fake news**.

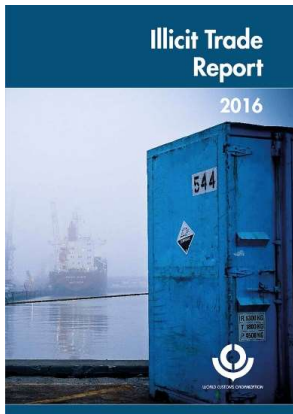
If you ask INTERPOL or UNESCO, as we did of course, they say that they have no idea about the value of trafficking. On the INTERPOL website we read by FAQ:

*"We do not possess any figures which would enable us to claim that trafficking in cultural property is the third or fourth most common form of trafficking, although this is frequently mentioned at international conferences and in the media."* Still these institutions are "quoted" all the time, also by the European Commission, as the source of these wrong figures.

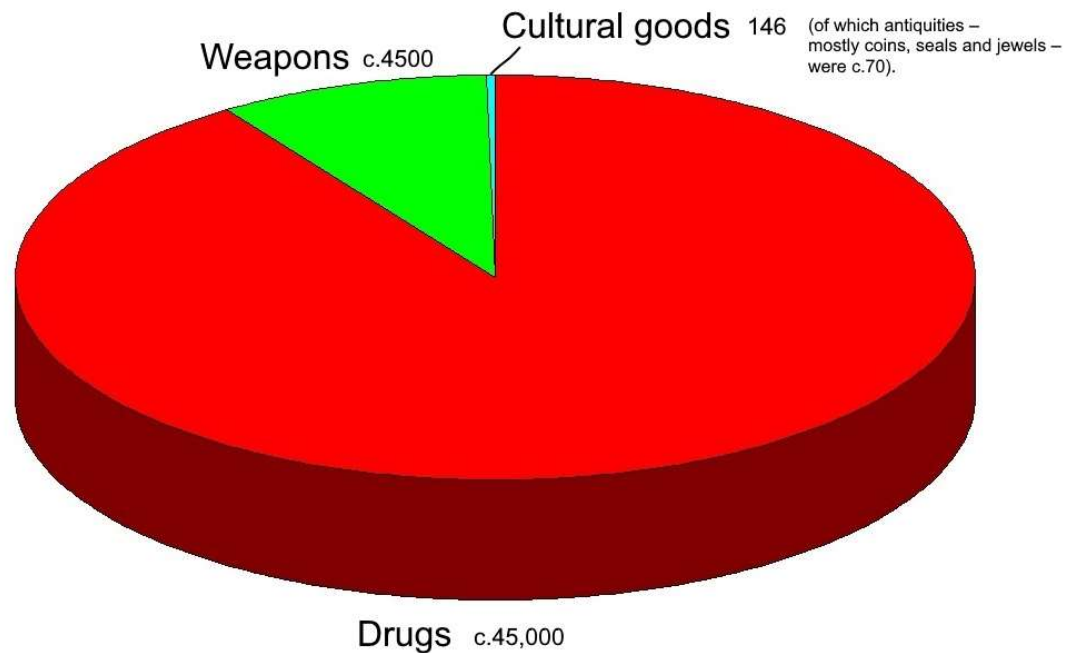
We really appreciate that at least the police and customs are publishing facts.

<https://www.interpol.int/Crime-areas/Works-of-art/Frequently-asked-questions>

And how about the comparison with drugs and weapons? Well in their latest Illicit Trade Report of 2016, the World Customs Organization published for the first time comparable figures on cultural goods and drugs and weapons. We compared the number of reported seizures worldwide and put them in this graph for you. The WCO points out it did not receive answers from all countries, so obviously these had nothing to report.



World Customs Organisation Illicit Trade Report 2016  
worldwide number of confiscations



Need I say more about this indecent comparison?

What about **the tale of the terror financing**, for which there is, after four years of investigating, still no evidence. The allegations were everywhere in the press, without presenting any proof. In March 2017, I personally submitted in Brussels four important independent reports about terror financing. In none of these, cultural property plays a role of any importance.

**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>

**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>

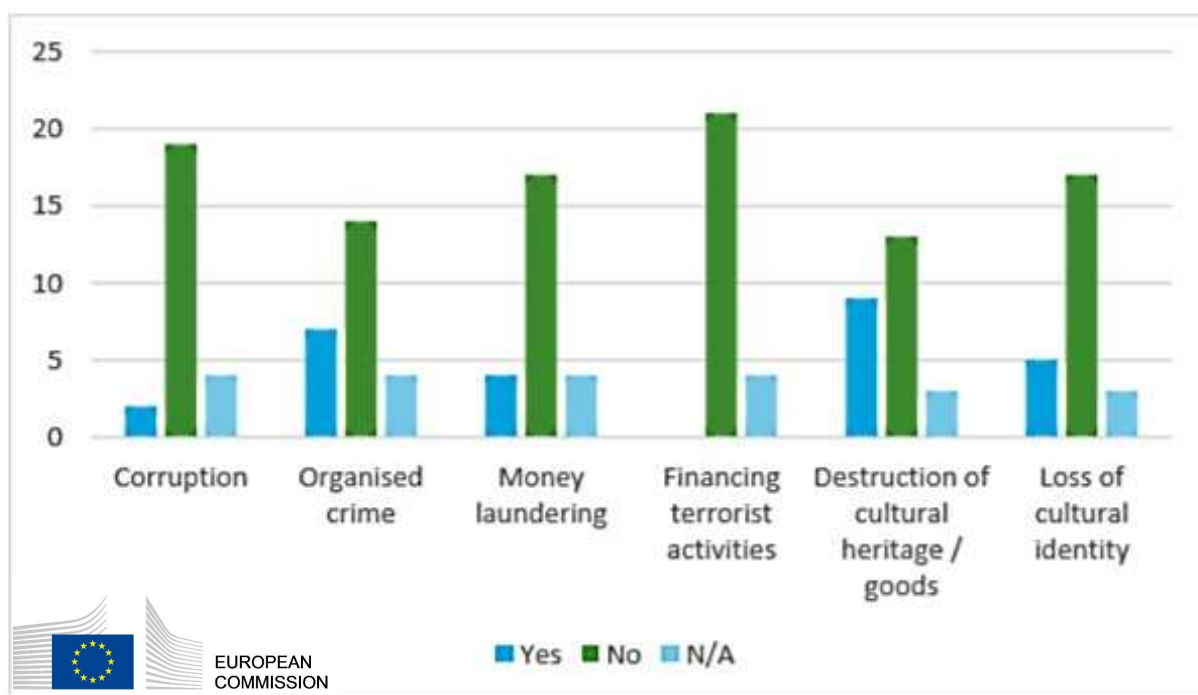
**SPECIAL ANALYSIS: Antiquities Sales Supporting ISIS Fails The Test Of Robustness – Homeland Security Today 27-02-2017**

<http://goo.gl/TUIbnH>

Why did the Commission **chose to ignore** these reports I wonder?.

In 2016 the Commission asked Deloitte to investigate the size of the problem, resulting in the 2017 report: "*Fighting illicit trafficking in cultural goods: analysis of customs issues in the EU*", on page 120 the EU investigation shows **that none of the Member States had any evidence of terror financing** as you can see from this graph

*Figure 30 – Effects: available evidence*



Source: General survey to the EU Customs and Culture administrations (2016)

**Again I wonder why did the Commission chose to ignore the facts of its own report?**  
I suspect this is purely political.

The same Deloitte report shows just a handful of seizures in 28 countries in past three years.

### 3.6.2.2 Seizure

Only a very limited number of Member States has actually seized cultural goods moved in breach of Regulation No 1210/2003 and Regulation No 36/2012. The Member States indicating they have actually traced and seized such goods, only did so in a limited number of cases.

**In Germany one tablet.**

- The criminal police office of Schleswig-Holstein, Germany has seized a Sumerian clay cuneiform tablet, which was offered in an online auction in violation of the ban on trade of Iraqi cultural property in the EU. The cultural good in question dates from 2049 B.C. and records the distribution of flour to the crew of a ship. On January 14, 2016, the German authorities have restituted the antiquity to the Republic of Iraq.

This proves that the restrictive EU regulations on cultural property from Iraq and Syria are effective indeed. Our members have not been offered anything either.

**Given the total lack of evidence for terror financing, the organised trade thinks that the proposed new regulation is disproportionate, will certainly not protect any cultural property and should be reconsidered.**

I have now come at the end of my presentation and shall propose possible solutions for Iraq. Some may sound “impossible” at first. Please do not dismiss them immediately. The real challenge will be **thinking out of the box.**

Ladies and gentlemen you have to understand that the objects themselves are **not** of importance for archaeology, but it are the **undisturbed find** spots that are important. Therefore it is crucial **to protect these find spots**, that is why protection is obliged by art. 5 of the UNESCO convention.

The 30.000 archaeological sites in Iraq can never be protected by the police, you need the help of the local population.

- Therefore we propose that the **European Union creates a Task Force**, with the help of UNESCO experts, to support Iraq in setting up this type of protection and
- To teach the population to be proud of the past, this will help to prevent them stealing their own history, they will help to protect it.
- Iraq can benefit here from the very positive experience in the United Kingdom, during the past 20 years, with the Portable Antiquities Scheme (PAS) to report chance - and metal detectorist finds.

To give you an idea I quote from the 2106 report: “*81,914 finds were recorded; a total of 1,303,504 on the PAS database to date.*”

*90% of finds were found on cultivated land, where they are susceptible to plough damage and artificial and natural corrosion.*” These numbers can never be achieved without the help of the population and I believe people will be happy to help.

- The local people find ancient objects almost every day during agricultural and building activities. Do not punish these people, but reward them when they report these finds to the authorities, who can register them in a database. Give the honest finder a fair share of the proceeds, say 25%. This way they will be encouraged to do it again.  
I will provide you with a link to the PAS website in order to study the case by yourselves. <https://finds.org.uk/publications/reports/2016>
- Finds that are not important could even be exported with licence, the proceeds could be used to finance excavations.
- A database with the content of Museums and the storerooms of excavation sites should be created. This will prevent theft, once perpetrators know that quick identification of stolen objects is possible.
- If an object gets stolen, let IADAA know, we will alarm our members which will increases the chance of recovery, as we have shown in the past.
- And last, but not least, our members are offering their expertise to law enforcements agencies for quick assessment of objects. This way a lot of time wasting with chasing fakes can be avoided.

Please let me finish by stating that;

- 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.
- The focus should now be on UNESCO Article 5 which has not been adopted fully in source countries.
- Claims of illicit activity –should always be supported by independently verifiable evidence or not treated as credible.
- We will not find a workable solution unless all parties to the debate work together including Art Professionals – both dealers and auction houses.

I understand that some of my proposals sound bold, but please do not dismiss them without careful study and real consideration. **Think out of the box!**

Thank you for your attention.

VJG 30-05-2018

A selection of links to documents mentioned during the presentation.

**World Customs Organisation Illicit Trade Report 2016** <https://mailchi.mp/c531ab59b201/iadaa-newsletter-february-1403953?e=5e1025c6e8>

**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/TUIbnH>

**The Real Value of the ISIS Antiquities Trade, New Yorker, Ben Taub.**

<file:///F:/xdoc%202015/IADAA%202015/Cultural%20property%20docs/IS/The%20Real%20Value%20of%20the%20ISIS%20Antiquities%20Trade%20-%20The%20New%20Yorker%204-12-2015.pdf>

**More on Abu Sayaf:** <https://culturalpropertynews.org/wp-content/uploads/2017/12/CCP-Bearing-False-Witness-The-Media-ISIS-and-Antiquities-1.pdf>

**Iraq 30.000 archaeological sites, United States dept of defence;**

<https://www.cemml.colostate.edu/cultural/09476/iraq05a.html>

**Six Years After U.S. Troops' Arrival in Iraq, Ruins of Babylon Await Restoration**

<http://www.washingtonpost.com/wp-dyn/content/article/2009/07/28/AR2009072802835.html??noredirect=on>

**IADAA investigates operation Pandora results (with pictures) 28-03-2017**

<http://goo.gl/145oH7>

**Vincent Geerling, Chairman of IADAA has given a lecture on the occasion of the Brussels Ancient Art Fair BAAF 2016. It is titled “Collecting Ancient Art, an old tradition under attack”**

[Collecting Ancient Art](#)

IADAA reports on many of the above mentioned topics in **the monthly IADAA Newsletter**

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