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INTERNATIONAL ASSOCIATION OF DEALERS IN ANCIENT ART

IADAA NEWSLETTER JULY 2020

RAND Corp report demolishes assumptions on antiquities and terror

Cultural Property News: July 31: Further to other reports and analysis on the recently published RAND report (see May newsletter), Cultural Property News has now added its voice, extensively reviewing the study and presenting fresh arguments.

The first of these is that fake news promoting an anti-trade agenda in the field of cultural property has played into the hands of tyrannical regimes.

CPN states: “Most dangerously, it has forwarded the careers of dictatorial rulers who play the ‘cultural heritage card’ to cloak human rights violations and even the deliberate destruction of cultural heritage by well-oiled authoritarian regimes in Egypt, Turkey, China and elsewhere.”

CPN also targets the influential #CultureUnderThreat Task Force report, which “supported the claim that the antiquities trade has brought ‘multi-billion dollars’ in revenue to terrorist organisations like ISIS” (a false claim that is still be made by other outlets even as this newsletter goes to press).

As CPN notes, one of the most important findings in the RAND report is that despite claims of an increase in antiquities looting as a result of war and conflict in the Middle East, the antiquities trade not been a significant source of terrorism finance.

Also in focus have been the mistaken assumptions by experts in the field, such as Michael Danti, whose influential 2015 presentation to the US House of Representatives claimed that antiquities were highly prized as investments, when the RAND report showed how demand was actually weak.

Just as culpable has been the poor quality of field work, CPN notes, with the RAND report stating: “Although research by reporters and academics has documented an increase in the looting of antiquities as a potential source of revenue that can be tapped by opportunistic actors in the Middle East, little systematic analysis has attempted to empirically describe and measure the entire process of looting and trafficking in the region.”

As IADAA earlier commented, claims by Europol’s executive director, Catherine de Bolle, do not stand up in the face of RAND report evidence. Commenting in

the official Europol press release after the recent Athena II international law enforcement operation, De Bolle stated: “Organised crime has many faces. The trafficking of cultural goods is one of them: it is not a glamorous business run by flamboyant gentlemen forgers, but by international criminal networks. You cannot look at it separately from combating trafficking drugs and weapons: we know the same groups are engaged, because it generates big money.”

As the RAND report found, none of these claims is right: looting and trafficking tends to be disorganised and ad hoc by individuals, does not make large sums and has no links to trafficking in drugs and weapons. So why is someone so senior and influential in Europol claiming otherwise?

<https://bit.ly/2PkHiDd>

UNESCO urges caution over fraudulent African artefacts, sold in its name

UN News: July 1: UNESCO has warned that criminals are using false documentation to pretend that UNESCO has endorsed the sale of African cultural treasures that have really been looted.

According to this article, much of the fraud has been perpetrated in France.

<https://bit.ly/2DioChI>

Brooklyn man indicted on cultural artifacts smuggling charges

US Immigration and Customs Enforcement: July 6: This official press release details the arrest of US citizen Ashraf Omar Eldarir on January 22 at JFK International airport in New York. He was later charged with smuggling close to 600 Egyptian artefacts into the US in three suitcases. Eldarir had falsely declared just \$300 of goods, according to ICE.

The revelation has led to speculation on a number of blogs about art market transactions involving pieces associated with a consignor of the same name. We await further details of this case.

As an aside, as this release shows, despite being advised of the inaccuracy some months ago, ICE continues to disseminate the false claim that “trafficking in antiquities is estimated to be a multi-billion dollar transnational criminal enterprise”.

<https://bit.ly/2CmFAhn>

Nine police officers implicated in three rackets in northern Greece

Ekathimerini.com: July 7: Greek Internal Affairs are bringing charges against 147 people, including nine police officers, involved in a series of rackets. One of the rackets is thought to involve more than 70 unlicensed excavations looking for ancient coins, gold or bronze objects.

<https://bit.ly/3fh6rKo>

Archaeological discoveries made by the public reach 1.5 million

Antiques Trade Gazette: July 9: The British Museum's Portable Antiquities Scheme is celebrating the discovery and recovery of 1.5 million items, crediting a Papal bulla or seal (pictured courtesy of the scheme) found in Shropshire as the 1.5 millionth item.

"The items found by the public range from coin hoards to single items such as brooches," reports ATG.

"The oldest items include prehistoric-worked flint from 700,000 years ago and the youngest include 20th-century military badges."



Explaining the historical and archaeological significance of the scheme, Michael Lewis, head of PAS and Treasure at the British Museum, said: "There is no doubt that these finds have transformed our understanding of the history and archaeology of England and Wales, and that of Britain more generally. Some of these items are spectacular and are finds of a lifetime. But even the smallest and most modest items offer clues about our history, so we encourage everyone who makes a find to continue to come forward."

<https://bit.ly/3OrSweo>

BBC investigation uncovers legal dispute over blockbuster Tutankhamun exhibition

The Art Newspaper: July 9: Has Egypt breached its own antiquities laws in sanctioning an international touring exhibition of Tutankhamun relics overseen by a private company? A new BBC documentary, Behind the Mask: Tutankhamun's Last Tour, certainly makes it seem that this is the case, and an Egyptian lawyer has filed a lawsuit against the country's ministry of antiquities on this basis.

As the Art Newspaper explains, the ten-city touring blockbuster had to shut early when showing at London's Saatchi Gallery because of the pandemic, and the collection is due to go on permanent exhibition in Egypt when the tour is over in 2024.

However, it seems that the partnership brokered by former head of Egypt's Supreme Council of Antiquities, Zahi Hawass, and a private exhibitions firm may be in breach of Egyptian law.

Meanwhile, the lawyer, Sayed Said, argues that the government has violated article 10 of law no 117, which only allows the exhibition abroad of objects that are not unique – the Tutankhamun relics are deemed priceless and unique.

<https://bit.ly/2W58eut>

Morocco and UNESCO Adopt Global Priority Africa Resolution

Morocco World News: July 10: News of a fresh UNESCO initiative, Global Priority Africa, that has come from the organisation's executive board and focuses on a flagship programme focused on the repatriation of artefacts and pieces of Africa's cultural heritage "that were illegally trafficked around the world".

How this sits with UNESCO's existing Convention is not clear, especially as UNESCO recognises that the convention does not apply to any period prior to its official adoption by member states.

As the second link below shows, Egypt is claiming an important role in the negotiations with UNESCO on this matter.

<https://bit.ly/3jmLksJ>

<https://bit.ly/2OJ38Ad>

To Stop the Auction of Looted Art, International Law Must Change

Frieze.com: July 10: Another comment piece on the restitution of African cultural property, this piece argues that the preferential protection given to Nazi-looted art is "a racist double standard", and calls on Africa to push for stronger laws restricting the sale of cultural patrimony. As with the move by UNESCO and the first repatriation under the policy established by France's President Macron (see below), this illustrates the gathering momentum of this cause and the problems it spells for museums and the tribal art trade in the West.

<https://bit.ly/2E2EkRB>

In a Historic Move, France Has Taken a Major Step Towards Fully Restituting 27 Looted African Objects to Senegal and Benin

Artnet.com: July 16: France has officially restituted 27 objects deemed looted to the former colonies of Senegal and Benin. The move follows the demands of France's draft law ordering items known to have been looted to be returned permanently to their places of origin within 12 months.

As Artnet points out: "The legislative step is significant because historically the French have clung to the principle of "inalienability" of the country's national collections, making deaccessioning any objects legally impossible."

<https://bit.ly/32BAUiX>

"Restitutions": a bill based on the falsification of history (translated from the French)

La Tribune de l'Art: July 16: This article takes the entire restitution policy in France to task, arguing that what is actually taking place in certain cases is the honouring and rewarding of slavers and warlords.

The article accuses the authorities of prioritising political correctness over facts

and states that the draft Bill going through the French parliament is based entirely on false stories.

It also refers to a previous article by renowned cultural property trade lawyer Yves-Bernard Debie, who noted that in one of the volumes of the General History of Africa published by UNESCO it explained how the French commander of the expeditionary forces had saved some of the disputed Benin items from a fire started by the king of Dahomey himself and that central to the French policy was freeing the king's slaves, noting how, like his ancestors, he traded in slaves.

The article questions the validity of returning the articles to a state which did not exist at the time of the facts, dismissing the decision to do so as "arbitrary". The complex nature of the slavery and restitution debate is further illustrated by a thoughtful article published by BBC News (see second link below), in which a Nigerian journalist and novelist recalls the tale of how her great-grandfather was a slave trader, but argues that he should not be judged by today's standards or values – an argument that has met short shrift when posited by Western historians about European nations' colonial record.

<https://bit.ly/3fMtGMR>

<https://bbc.in/2WE6hFG>

Police Discover Roman Antiquities in a Seafood Store

Artfix Daily: July 23: A routine inspection of fish storage facilities in Spain has uncovered a cache of 13 Roman amphorae thought to have been salvaged from shipwrecks in the Mediterranean.

The store owners are now under investigation for possessing historical artifacts, for "possession of objects knowingly of their dubious or illegal origin."

<https://bit.ly/2XcggIV>

California man is charged with illegally importing an ancient mosaic, possibly from Syria

Art Newspaper: July 27: Mohamad Yassin Alcharihi has been charged with one count of falsely classifying goods for entry into the US after he allegedly undervalued a Byzantine period mosaic in 2016.

"The seizure in 2016 was carried out as part of an investigation into the 'smuggling [of] looted items believed to be from a foreign conflict area into the United States', the United States District Attorney's Office said in the 2018 complaint," the Art Newspaper reports.



Although the authorities say that the mosaic is “consistent with the iconography of mosaics found in Syria, in particular in and around the city of Idlib”, they went no further in claiming any links with looting or smuggling. (picture above)

<https://bit.ly/39CCgeQ>

Extent of trade in looted antiquities is exaggerated, report claims

Art Newspaper: July 27: The Art Newspaper has now uploaded its coverage of the RAND report online and updated it to include more detail on the sources of fake news, stating: “Perhaps more controversially, the report claims that “fuelling this disconnect between reported looting and assumed markets for these goods is the problem that bloggers, journalists and advocacy groups, although often producing high-quality research, are rewarded for sensational headlines and claims that bring attention to their issues and readers to their pages or sites.

“It also suggests that claims of an overlap between networks smuggling weapons, and those smuggling antiquities, largely derive from US Marine Corps Reserve Colonel Matthew Bogdanos’s experiences during the Iraqi Civil War and says there is little evidence of such overlap on the online platforms it reviewed.”

<https://bit.ly/2X9DxoF>

Is it time to repatriate Africa’s looted art?

ForeignPolicy.com: Another article springing from the Macron policy of post-colonial restitution. Again it singles out the British Museum and its director for criticism, as well as the V&A. Referring to Hartwig Fischer of the BM, it states: “Hartwig Fischer, the British Museum’s director, expressed “solidarity with the British Black community, with the African American community, with the Black community throughout the world,” in a statement in June, adding that the museum would “continue to research, acknowledge and address the colonial history of Britain and its impact on our institution.” But critics described the response as performative. In an open letter, the visual artist Bayryam Mustafa Bayryamali wrote that he was disappointed that “it took the death of an unarmed Black man for you to join the conversation.”

<https://bit.ly/2BGLwSw>

ICESCO calls for development of conventions on illicit trade in cultural property

ICESCO: July 28: Egypt is playing an active role in the Islamic World Educational, Scientific and Cultural Organization (ICESCO) initiative to reclaim artefacts from all over the world, as ICESCO argues that “the worsening crimes of illicit trafficking in cultural property and the growing e-markets and auctions on social media require developing relevant legislations, conventions, and joint

efforts to set the code of ethics to deal with these cultural properties”.

Dr. Salim M. AlMalik, Director-General of ICESCO, announced that the conference was “the first step toward ensuring capacity-building and developing relevant mechanisms to fight against this phenomenon.”

The conference is being held under the patronage of Egyptian president Al-Sissi and features Benin and Greece as important contributors as well.

<https://bit.ly/3hQJ778>

Facebook’s looted artifact problem

The Atlantic: July 31, 2020: One of several new articles relating to the ATHAR project and Facebook’s new ban on antiquities. As with the others, this relies heavily on anecdote, journalistic ‘colour’ and interviews with those who run the ATHAR project, but is fairly thin on facts.

For example, the article concludes: “Every time a sale is made, these admins earn a 20 percent commission—just as ISIS had through its Department of Antiquities.” What it does not demonstrate is how many of these artefacts are actually fakes rather than looted material, how many sales are actually made, nor who makes the money, let alone how they know that the ‘admins’ make 20 per cent.

As the RAND Report recently noted, using the fairly simple process of reverse-image search via Google reveals that the majority of pictures posted are actually recycled images from news articles and museum websites. Why is it that the ATHAR project makes no mention of this? Has it really not undertaken this test itself? And if not, why not?

As the RAND Report also notes: “Specifically, we found that Facebook is a prominent hub for discussions of antiquities, which may be driving interest in looting by highlighting the wealth that it purportedly generates. By promoting and normalizing looting in Arabic-language groups, Facebook has the potential to drive looting even if there is not sufficient demand in the market to sell the looted goods.”

Why has this article in The Atlantic not explored any of these issues or even asked the right questions about them?

A very similar article appeared in NPR on the same day (see second link below). The lack of proper investigation and analysis by the journalist in question here is illustrated once again by their failure to check facts and the consequent lifting of the widespread inaccurate and now debunked claim that “The value of trade in looted antiquities is difficult to determine, but some estimates put it at billions of dollars a year.” Here they give a link, which shows the claim is lifted from a 2018 paper by Standard Chartered bank, which gives no source for it. So not even ‘some estimates’, as claimed here, but just one, and even then not substantiated. This failure to dig for the facts at even the most basic level calls into question the reliability of the rest of the article. How much has been

genuinely researched and how much just fed to the journalist unchallenged? None of this means that Facebook does not have a problem, but it does mean that we cannot rely on the analysis being promoted here. In turn, this means that resulting conclusions and suggestions for policy change may not be appropriate. Again the RAND report's analysis of the geographical origin of eBay listings suggests that the sale of antiquities (whether authentic or not) is a global enterprise. "In this case, focused interventions will necessarily have a limited impact because of the variety of end markets and dealers that participate in the market. In this case, a broader-based disruption strategy would be required to disrupt the illicit trade."

It instead suggests launching messaging campaigns online – "for example, through Facebook groups that are used by illicit actors along the supply chain" – that would allow destabilizing information to be injected into trafficking networks.

It would be helpful if the ATHAR project could put these journalists right when it comes to the facts in this area, so that the public and lawmakers can gain an accurate picture of what is going on and so adopt more effective policies.

<https://bit.ly/30k3h3q>

<https://n.pr/2XiD17R>

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