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INTERNATIONAL ASSOCIATION OF DEALERS IN ANCIENT ART

## IADAA NEWSLETTER MAY 2020

### ***RAND Corporation report demolishes current thinking on antiquities trafficking***

A major report by one of the most respected independent research organisations in the United States claims that current thinking on the trafficking of antiquities is mostly wrong. Its findings have prompted it to propose a radical change in direction in the search for solutions. The RAND Corporation argues that a lack of reliable evidence leads to wild speculation over trafficking and poor policy in tackling the problem. The illicit trade in antiquities is much smaller, opportunistic rather than organised, and more widely dispersed than previously thought, it concludes.

“Our aggregate data suggest that the market for all antiquities, both licit and illicit, is on the order of, at

most, a few hundred million dollars annually rather than the billions of dollars claimed in some other estimates ... We believe that, going forward, scholars arguing that the illicit market is larger than we suggest here will need to more clearly articulate the means through which these goods are sold.”

Titled *Tracking and Disrupting the Illicit Antiquities Trade with Open-Source Data*, the report published on May 12 blames bloggers, journalists and advocacy groups for exaggerating the problem to attract headlines, funding and to effect policy change. And it singles out one of the highest profile crusaders against trafficking, New York Assistant District Attorney Matthew Bogdanos, stating that the widely held but inaccurate belief that antiquities trafficking is linked to



### Tracking and Disrupting the Illicit Antiquities Trade with Open-Source Data

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trafficking in drugs and weapons can mostly be traced back to him as the source.

The report's findings on this point go directly counter to the claim made by Europol Executive Director Catherine de Bolle in her official statement on the recent Athena II operation.

High-profile figures who come in for criticism include the ATHAR Project's Katie Paul, former chief of staff at the Antiquities Coalition, who the report accuses of obtaining data and screenshots "with a RAND login to a third-party data provider that were published without consultation or permission", an action deemed "ethically dubious".

Major findings in the report, researched with the RAND Homeland Security Operational Analysis Center and partially funded through its work for the US Department of Defense, show that contrary to popular belief, illicit trade in antiquities is largely ad hoc rather than organised and a much smaller problem than previously thought. End markets are global, rather than focused on the West, policy and argument "has been dominated by speculation and hypotheses", while virtually no trafficking of antiquities is taking place via the dark web.

It also noted that relatively low sell-through rates of legitimate antiquities at auction and through galleries, combined with the challenges of selling antiquities at all because of compliance, show muted demand, suggesting "that auctions could act only as a limited conduit for illicit sales".

"This reality that antiquities auctions represent a small market that is not always able to find buyers in well-advertised sales is at odds with the media's assumption that there is a booming unmet demand for these goods that is capable of supporting a billion-dollar black market," it concludes.

The report also found that although fakes were a major issue in general, apparent attempts to traffic illicit items on Facebook were largely illusory, because a large number of the images posted had actually been lifted from recycled news articles or museum websites.

It concludes that current efforts to tackle trafficking are misguided, ineffective, costly and unrealistic, partially because they are based on inaccurate assumptions.

Referring to transnational policing operations targeting traffickers, like Athena and Pandora, the report states: "For high-value goods and key nodes in the network, efforts by police and customs officials can successfully identify and prosecute criminal actors. However, these enforcement actions are time consuming, costly, and often require significant cross-border cooperation by law-enforcement agencies, which can often be difficult to organize. Instead, a broader-based approach aimed at undermining the trust among illicit actors and in the technologies they rely on could disrupt the illicit market more broadly and cheaply."

Recognising that “legal standards can be troublesome because a plethora of various laws exist between and within countries, meaning that the correct legal standard that must be met can vary from object to object”, RAND recommends better targeting of clearly identified problem areas.

“...if the market is instead made up of ad hoc opportunists, then there are few centralized nodes that can be targeted to disrupt the whole market,” it argues. “Moreover, expensive and resource-intensive investigations may be inefficient in a market comprising small-scale dealers. In such cases, broader-based disruption tactics, which highlight the risks involved or publicize the damages that looting causes, might be more effective by reshaping the decisions of the individual actors involved.”

It recommends turning to disinformation campaigns: “Messaging campaigns conducted online—for example, through Facebook groups that are used by illicit actors along the supply chain (as discussed in Chapter Four)— would allow destabilizing information to be injected into trafficking networks.”

IADAA chairman Vincent Geerling said: “This is a devastating report from arguably the most respected independent research organisation in the US, which has a 75-year pedigree in advising the Federal government on policy. “While I am delighted that its conclusions, based on solid research, analysis and evidence, support what we have been saying for years now, it is shocking that so much hype and inaccuracy have been allowed to go unchecked for years and that this has led to goodness knows how much time and money being spent on the wrong approach – an approach that fails to protect the vulnerable while also damaging legitimate market interests.”

See <https://bit.ly/2Milzui>

### ***Middle East clay antiques found to be fakes by British Museum officials***

Press Association: May 5: Two trunks filled with individually packaged objects seized by Border Force at Heathrow airport on July 1, 2019 after arriving from Bahrain were full of fake antiquities, the British Museums says.

Cuneiform tablets, clay figurines and cylinder seals, pictured below (Photo: British Museum/PA) showed signs of having been made from the same clay and fired in modern furnaces rather than dried in the sun, while the inscriptions marking some of them turned out to be jumbled, upside down or meaningless. The size and thickness of the tablets was also inconsistent with the genuine article.



BM curator St John Simpson, recently outspoken over misinformation regarding looted antiquities (see April 2020 newsletter), said: “These seizures confirm an emerging trend: capitalising on interest in the purchase of antiquities, unscrupulous traders are faking Middle Eastern objects for sale.” Expert knowledge becomes vital in weeding out the fakes, says Simpson: “These consignments confirm the importance of vigilance on the part of our law enforcement agencies and the role that museums need to play in the identification of these objects.”

Expert knowledge also exists among members of the leading trade associations, who are also keen to weed out the fakes for fear of them tainting legitimate sales. As noted in the April newsletter, the ADA has been consulting with Facebook to find a way forward in tackling criminals attempting to promote or sell fakes and looted material via the social media platform.

As Simpson has pointed out, criminals often turn to faking material when it becomes too dangerous to attempt looting real artefacts because of on-going conflicts.

“That’s what we’re seeing here. There’s no looting going on in Iraq today and in fact the scale to which objects came from Syria has been grossly exaggerated,” he told *The National* (second link below).

"So it's not surprising to see a whole lot of fakes appearing on the market right now."

<https://bit.ly/3buiK3g>

<https://bit.ly/2SVMiR9>

### ***Egyptologists attack transfer of sphinxes to Tahrir Square***

Site will expose sphinxes to air pollution and obscure Egypt’s recent protest history, say critics

The Guardian: May 7: This is a continuation of the controversy surrounding the Egyptian government decision to remove major artefacts from their sites in Luxor in order to put them on display in central Cairo as a tourist attraction and tribute to the country’s heritage.

“The transfer of four sandstone sphinxes to Tahrir Square in Cairo will expose them to intense heat and air pollution and amounts to an attempt to erase Egypt’s recent history, Egyptologists and academics have said.

<https://bit.ly/2zyGXs2>

### ***International crackdown on art trafficking leads to 101 arrested and 19,000 artefacts recovered***

Art Newspaper: May 8: While Europol, Interpol and the World Customs Organisation are very good at grabbing headlines, experience tells us that subsequent requests for more detail on the major international operations cracking down on cultural heritage trafficking tend to fall on deaf ears. The latest set of seizures and arrests across 103 countries gives rise to the same set of questions we and other trade associations have been asking for years now:

- How much of this material is fake?
- How much can be traced back to vulnerable archaeological sites?
- How much can be traced back to terrorist groups
- How much of it qualifies as cultural property under the terms of the UNESCO Convention?

While the headlines sound impressive, the organisations involved continue in their failure to answer on-going questions about the true effectiveness of these operations (See RAND Report conclusions above). Previous investigations undertaken by the Antiquities Dealers Association (ADA) and IADAA, including direct consultation with the authorities, have exposed worrying gaps in intelligence gathering.

In February 2018, for instance, in responding to an IADAA request for confirmation about the number of countries involved in the original Operation Athena, as well as information regarding the volume, value and nature of major items seized during that operation, Europol's Corporate Affairs Bureau told them: "Unfortunately we do not have such information at hand as we only have a fragmented picture: this operation was coordinated between three partners – us, INTERPOL and the WCO."

This was a surprising response from one of the main players involved, especially as they had already issued a large number of detailed claims in a press release.

Publicity surrounding this latest operation, conducted in November 2019, focuses chiefly on antiquities and ancient art from around the globe, but does not attempt to distinguish between the genuine and the fake. The Tumaco gold mask referred to among the highlights, for example, is already being disputed on these grounds.

Previous operations gave the impression of having a major impact on antiquities trafficking and even the financing of terrorism, although closer inspection showed this not to be the case.

In November 2016, Operation Pandora involved a joint customs, Interpol and

Europol operation across 18 European countries. Together they searched 48,588 people (81.6% of them in Bulgaria); 29,340 vehicles and 50 ships. This led to 75 arrests (65 of them in Bulgaria) and the seizure of 3,561 objects in total, comprising:

- 1000 objects from a single seizure in Poland involving an illegal metal detectorist. These comprised spent bullet cartridges and rusted gun stocks from WW2, which qualify as cultural property under Polish law
- 500 archaeological objects (mostly coins) in Murcia, Spain
- 400 coins relating to online adverts
- Of the remaining 1600 objects, Europol said that “several” were “of great cultural importance in the archaeological world, such as a marble Ottoman tombstone and a post-Byzantine icon depicting Saint George, along with two Byzantine artefacts”. None of these items was rare, valuable or culturally significant to the extent claimed. All were seized in Greece, another country that is not a war zone, nor did they appear to originate in war zones, although seizing such material was a main objective of the operation.

If these comprised the highlights of the operation, as stated, where were the rare antiquities from war zones, or material associated with terrorism financing, whose intended seizure was the mainspring of this operation? The tendency to count every coin in a seizure individually rather than as a single seizure also risks inflating the operation’s impact. A similar pattern of claims accompanied by detailed statistical information released by Europol and the WCO arose for Operation Odysseus in June 2014 and the first Operation Athena in November 2017.

However, IADAA are not aware of any update on any of these operations, such as confirmation of how many of the arrests and investigations led to successful prosecutions, or whether any seizure at all has led back to trafficking from Syria or Iraq or the financing of terrorism, the twin lynchpins behind these operations. Surely such



Above: One of the biggest seizures reported via the WCO network in 2017 was of 3.000 long playing records, exported from the Netherlands to Turkey. What is not clear is how this seizure contributed to the statistics reported by Operation Athena.

information constitutes the true measure of these operations' success and should be made public?

The WCO Illicit Trade report 2017, published in December 2018, did reveal that the largest quantity of items of cultural property seized and reported through their network for that year was a consignment of around 3000 LPs being exported to Turkey from The Netherlands.

It is disturbing that in this Art Newspaper report Catherine de Bolle, Europol's Executive Director, resurrects the now discredited link between antiquities and trafficking in weapons and drugs (See RAND Report conclusions above). It took years for Interpol to remove misleading claims of a similar nature from its website where, at the same time, it admitted that it had never had any information to show that cultural property trafficking was as significant as that in drugs and weapons, nor was ever likely to have such information.

The latest WCO Illicit Trade Report, covering 2018 and seizures reported through its network, showed that while drugs accounted for 32% of all trafficking seizures globally and weapons for 3.6%, cultural heritage – including all art, antiques and collectables, not just antiquities – accounted for 0.08%. If international law enforcement is so keen to promote its work on these operations, then it should be equally eager to publish their ultimate results in terms of successful prosecutions and evidence clearly demonstrating links to terrorism funding.

Such follow-ups are important because the successes claimed by these operations have been used frequently in the media and by politicians in the EU, as well as elsewhere, to support demands for further restrictive legislation controlling the international art market. If the market is to pay the price, it has a right to know why.

The second link below is to the official Europol press release.

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

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

### ***United States Files Civil Action to Forfeit Rare Cuneiform Tablet Bearing Portion of the Epic of Gilgamesh***

Department of Justice press release: May 18: The US government has started proceedings to seize a rare Sumerian artefacts known as The Gilgamesh Dream Tablet from the Museum of The Bible in Oklahoma, claiming that it was looted from modern-day Iraq and imported to the US illegally.

The Hobby Lobby, owners of the museum and the subject of much recent news regarding the return of artefacts to their countries of origin, had bought the tablet in a private sale at Christie's. It had come to the US after a US dealer purchased it from a London-based Middle Eastern dealer in 2003 before selling it on four years later.

A letter of provenance – now understood to have been forged by the US dealer

– stated that the tablet had been found in a box of miscellaneous bronze fragments bought at auction in 1981.

The Justice department stated that when the auction house's director of antiquities consulted the dealer regarding the provenance letter, they were told that it would not withstand scrutiny, yet they used the provenance in selling it on to the Hobby Lobby.

Now the Hobby Lobby have filed a suit against Christie's in the sum of \$1.7m over the case (see second link).

<https://bit.ly/36tVjpW>

<https://reut.rs/2ZCYbPS>

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