



IADAA NEWSLETTER APRIL 2022

Italian court calls for restitution of ancient marble statue from Minneapolis Institute of Art

Art Newspaper: March 30: An Italian court has ruled that an ancient marble sculpture must be returned from the United States because it was illegally excavated. The two-metre high copy of The Doryphoros is currently located in the Minneapolis Institute of Art.

Reported to have been found off the coast of Italy in the 1930s and sold via an unnamed Swiss dealer based in Toronto to the Institute in 1986, the court claimed that in reality it had been looted in the 1970s under the orders of the late collector Elie Borowski.

Details of the evidence showing this have not been divulged, so it is not clear how solid the proof of crime is. However, the prosecutor's office in Naples is said to have contacted the US authorities to process the claim.



Unknown Roman artist, The Doryphoros (27 BC-68 AD), courtesy of the Minneapolis Institute of Art

The Private Detective Who Devoted His Life to Saving Greece's Heritage

Greek Reporter: April 9: A profile of George Tsoulakis as he looks back over 30 years of investigations is perhaps most interesting for his rather uninformed take on auction houses: "Tsoulakis further explains the function of auction houses and clarifies that these auction houses solely check lost antiquities already registered with UNESCO but do not bother examining other objects (objects not registered with UNESCO, in other words); rather than attributing relics to countries of origin, profit is preferred."

KRG delegation to visit Germany to discuss investigation of ISIS financial crimes

Kurdistan24.net: April 12: Another report promoting bogus figures. In this case from the Kurdistan government: "In addition to this, ISIS also sold the antiquities it looted, earning them \$150-200 million per year."

Art and crime - the dark side of the antiquities trade

Euronews.next: April 13: This is a particularly poorly researched article and video feature for a programme called The Exchange, based in Qatar, in which the journalists do not appear to have checked even the links that they have embedded within it to ensure accuracy. Nor do they challenge the figures or information they are fed to test its validity.

To start with, they state: “The collection of art and antiquities is worth \$50 billion (€45 billion) globally,” embedding a link to the Art Basel and UBS Global Art Market Report 2021. There are two problems with this. The first is that the figure refers to the annual value of the global art market, not ‘collection’. The second is that the Art Basel 2022 report was published a month before this article, updating the figures, which now show the global art market as being worth €65.1 billion.

What follows is another unsubstantiated statistic: “It’s estimated that the illegal art trade makes up about 5 per cent of the whole industry, and while that may seem like a small figure, it appears to be a stubborn and growing problem that’s increasingly tarnishing the art world.” The article and video later makes it clear this figure comes from UNESCO.

Then we have a figure that has actually been publicly debunked for the past 18 months: “During the worst surges of the pandemic, the whole world was locked down but trade in the antiquities black market was more active than ever, generating \$10 billion (€9 billion) in just two years.”

Although not given a source, this is the figure UNESCO continues to claim, which it first published in October 2020 as part of the 50th anniversary celebration for the 1970 cultural heritage convention. It takes about five minutes to check UNESCO’s source and expose it for the bogus data it is.

Yet again, although all of the figures (bogus or otherwise) given concern the whole art market, the accompanying picture and videos focus only on antiquities, thereby connecting the two erroneously. This sort of practice is widespread and commonplace.

One of the main reasons for this feature is to promote Interpol’s new app, which is approached uncritically.

The video report is no better, quoting “blood antiquities”. In an on screen interview with clips exclusively showing antiquities, Ernesto Ottone Ramirez, Assistant Director-General for Culture at UNESCO, claims that trafficking has become easier over the past 20 or 30 years, a claim that flies in the face of the huge clampdown on the antiquities market and emphasis on clear provenance these days.

Ramirez explains that the reason that has become “easier” is that it involves unrecorded antiquities which UNESCO and others did not know existed. If so, how does UNESCO come up with the 5 per cent figure?

UNESCO claims that it no longer mentions figures. However, this interview with its Assistant Director General shows that it does, as does the continuing presence of the bogus \$10 billion on its website, which is being referred to in current news reports. UNESCO has also done nothing to publicly correct its errors, despite being asked to do so by IADAA.

Deborah Lehr of the Antiquities Coalition is also given air space, but, of course, as usual no one from the trade or museums world is given a voice.

The result is a lightweight but significantly uninformed and inaccurate news feature that simply feeds into the false narrative about the market.

The one blessing is that there are so many advert breaks throughout the feature that few are likely to stay the course to the end.

A Chennai man's fight against traffickers in a \$10 billion black market

Live Mint: April 20: Although this article concerns Indian artefacts rather than classical antiquities, it is underpinned by UNESCO's bogus \$10 billion claim for the value of looted and trafficked antiquities. As such, it is yet another example of how irresponsible and false propaganda deliberately disseminated by an official body gains international traction. UNESCO has known that the figure is false for at least 18 months, the official in question having been directly informed by IADAA and supplied with the evidence to show this at the time of its first publication, yet continues to promote it.

This is how the 'king of grave robbers' got into trouble (translated from Dutch)

Kunstmokkel: April 9: A detailed account of how well-known elderly Italian antiquities smuggler Raffaele Monticelli turned up in Delft recently, and what happened next.

It starts with a tip-off to the national police from a restorer. Monticelli has shown up at his workshop with a fourth century BC bronze helmet he wants preserved and restored. It still has soil on it from south Italy.

The police, led by Richard Bronswijk, 'operational specialist' in art and antiques crime, decide to set up a sting operation, with the restorer agreeing to preserve the helmet, giving them five weeks to prepare a case before arresting Monticelli, 79, a former primary school teacher from Apulia, now known as the *re dei tombaroli*, or king of the tomb robbers.

The article sets out details of Monticelli's activities and clashes with the authorities over the years, including what he has been doing since early 2020.

It appears that Monticelli had rented a room in Brussels where he was storing antiquities, gradually feeding them to a restorer and collecting them later, paying in cash.

The Carabinieri later raided the restorer's premises with the help of the local authorities. The restorer co-operates and the local prosecutor is satisfied that he has nothing else to hide, although the Carabinieri want his warehouse raided too. Fined €40,000, the restorer claims he has been harshly punished to satisfy the Italians.

"The case seemed over until Monticelli showed up at the restorer again at the end of September 2021," the report continues. However, it appears he is tipped off about the police presence and does not show up at the allotted time. A month later he shows up and is arrested. The article concludes with the ensuing prosecution.

The Careful Collector: Don't Import Buyer's Remorse

Cultural Property News: April: Timely advice from cultural property lawyer Peter Tompa on avoiding the pitfalls of importing artefacts.

"Going antiquing in the Casbah in Marrakesh or buying an ancient coin from a dealer in Germany offers the fun of the hunt, a way to own a piece of history, learn something about a different culture and interact with foreign sellers," he begins. "Increasingly, however, that great find at a local market or on the Internet may turn into a big headache when imported into the United States – if you run afoul of obscure regulations few purchasers of cultural goods know anything about."

The subject under discussion is the burgeoning number of bilateral agreements, known as Memoranda of Understanding, between the United States and other countries "originally conceived as a way to help poor countries protect their cultural heritage from the depredations of looters".

As IADAA has commented on numerous occasions, the good intentions behind MoUs have been superseded by what Tompa calls "mission creep".

“What started as a focused effort to protect archaeological sites and important artifacts abroad has morphed into a comprehensive program to repatriate most everything and anything made in a given country from prehistory to the early 20th century.”

This politicisation of the legal process is increasingly commonplace in the cultural heritage sphere. “As a result, the U.S. has effectively become the World’s culture cop,” writes Tompa.

The article explains how this has happened, pointing to the intervention of archaeological advocacy groups and the State Department, “which views MoUs as diplomatic bargaining chips”.

Getting to the nub of the matter, Tompa argues: “MOUs provide cover allowing them [source countries] to divert attention away from their own grossly underfunded and/or corruption prone efforts to protect their own cultural heritage. Everyone benefits except collectors and the small and micro businesses of the antiquities, coin, and ethnographic art trades. Archaeologists get kudos from the countries where they excavate for their activism. The State Department gets “good will” that hopefully will translate into support on other diplomatic issues. Finally, source countries get to ‘protect’ their own cultural heritage, courtesy of the U.S. taxpayer.”

He also raises concerns that what he calls the “iron triangle” of self-interest prioritises the claims of authoritarian Middle Eastern regimes.

Setting out in further detail the challenges that lie ahead, Tompa concludes: “Buying cultural goods abroad can be a rewarding and exciting experience, but to keep it from becoming a bureaucratic nightmare, it makes good sense to research not only prices, condition and authenticity but export and import issues as well.”

Why is St Paul’s Cathedral commemorating a Benin slave trader?

The Spectator: March 8: This article is of interest because it illustrates how airbrushing history to suit a particular narrative can have a direct effect on attitudes and policy today. In the world of MENA antiquities, as well as ancient cultural property across the globe, this is evident in the blurring of boundaries between the debates over cultural heritage crime, cultural patrimony and the ethics of private ownership of cultural property. These transfer into action on the ground with the demand for, and return, of museum items, pieces from private collections and objects being traded on the market, supported by erroneous claims that they have been stolen, when, in fact, they were legally traded decades or even centuries ago.

In this case, involving arguably the most sensitive and famous dispute after the Parthenon Marbles, historian Robert Tombs discusses the controversy of the Benin Bronzes.

Looted in 1897 by British forces during a punitive mission to the Kingdom of Benin, many of the bronzes ended up in the British Museum, with others sold off to France and other countries to pay for the mission.

Those demanding their return point to the looting and the nature of the mission.

However, almost completely ignored by institutions, governments and the media in what smacks of deliberate airbrushing by some, at least, is the origin of the Benin Bronzes as well as the nature and actions of those presented as victims of the mission.

As Tombs writes: “Following the Black Lives Matter protests, Archbishop Justin Welby remarked that: ‘Some (statues and monuments) will have to come down’. It is a policy he continues to advocate. The anti-racism taskforce set up by the Archbishops of Canterbury and York has commented that: ‘We do not want to unconditionally celebrate or commemorate people who contributed to or benefited from the tragedy that was the slave trade.’”

The problem is that the bronzes (actually made of brass) were fashioned out of slave trading currency called manilla, acquired by the Kingdom of Benin in vast quantities in return for the Oba or King of Benin handing over countless thousands of slaves. This trade with Western Europe went on for several hundred years. Equally active in slaving was the neighbouring Kingdom of Dahomey, whose port the British blockaded in 1852 as part of its anti-slavery patrols of the African coastline.

Tombs decries the Church of England's decision to erect a statue to Oba Ovonramwen, who was deposed during the British punitive mission.

"There is no doubt about the celebratory intention of this work: its artist, Victor Ehikhamenor, describes it as 'reawakening Oba Ovonramwen and every other person that was violated during that oppressive attack on the Benin Kingdom'," writes Tombs, before describing the carnage that the British discovered at the Oba's hands.

"When the perpetrators of the 'oppressive attack' reached Ovonramwen's palace, they found, according to F.N. Roth, the expedition's doctor, 'several human sacrifices, live women-slaves gagged and pegged on their backs to the ground, the abdominal wall being cut in the form of a cross, and the uninjured gut hanging out. These poor women were allowed to die like this in the sun.'"

Tombs argues that either the Church authorities delegated responsibility for erecting the statue to the academics and curators involved without properly informing themselves of what was going on ("a dereliction of their duty"), or that they approve of an installation which "deliberately or not, embodies a racialised distortion of morality".

Certainly IADAA has yet to come across a single article other than this one among either the Western or African media that mentions any of this. Instead they focus solely on the splendid artistic achievements of the bronzes, the appalling behaviour of the British and the victim status of the Oba and his court in the restitution argument.

As with so many disputes involving cultural property across the world, propaganda, selective information and outright untruths are used to force the issue in the mistaken belief that the ends justify the means. They don't, and those that abuse their positions in this way often create further problems that lead to the opposite of what they are trying to achieve.

Belgium, hotspot for stolen antiques: government sold stolen Nigerian million piece for... 240 euros (Translated from Flemish)

VRT NWS: April 20: Amid the backlash over Belgium's decision to disband its specialist art and antiques squad comes further claims of it being a hub for art crime. While there is evidence of crimes, including forgery, much of the claims put forward are based on customs' failure to seize items at the border. In other words, failure to act, rather than evidence of crime, appears to be the chief argument for embellishing this status.

Having said that, even the market's critics agree that it has been monitored closely since the entry into force of the EU's fifth anti-money laundering directive in 2018, with specific checks among the antiques sector since 2020.

As this report explains, however, the authorities are open to error.

The case concerns one of the most important artefacts to come out of Nigeria, an Ife bronze mask worth around €5 million. Thieves stole it from the National Museum in Jos, Nigeria on January 14, 1987, leaving a guard who confronted them with life-threatening injuries.

Years later (we don't know when because the authorities have mislaid all the documentation involved), the head was seized in Belgium and remained in storage there until November 14, 2007, when the Federal Public Service Finance authorities put it up for auction in Molenbeek alongside other confiscated African works. It sold for €240 including auction fees.

Although the FPS won't reveal the identity of the buyer, the journalists discover it is an East Flemish antiques dealer, who has subsequently consigned the head for auction in the UK. Having conducted thorough provenance checks on the piece, the auction house finds that it was stolen from the Nigerian museum and calls in the Metropolitan Police, who seize the head. In turn they alert the Belgian police who consult Julien Volper, curator at the Royal Museum for Central Africa in Tervuren. He recognises the piece.

Now, however, a row has broken out between the dealer and the Nigerian government over ownership of the head. The dealer, with his proof of legal purchase from the Belgian government, claims he is the true owner. However, the Nigerian government dismisses this, saying he must have known that the head was important and on the ICOM



Above: The €5 million Ife bronze head in dispute.

red list. "The bronze head had been reported internationally as stolen heritage at the time of the sale. Belgium should never have sold it," says Babatund Adebisi of the Nigerian Commission for Museums and Monuments.

The row has reached an impasse because Belgium is refusing to deal with the matter, stating that the dispute is between Nigeria and dealer. Adebisi argues that having sold the head, the Belgian government has a responsibility to resolve the matter.

Volper believes that the solution would be for the Belgian government to pay the dealer €60,000 in compensation and then return the head to Nigeria. Whether the dealer will accept such a sum in lieu of an item valued at €5 million is another matter.

Nigeria does not come out of the affair untainted, according to Volper: "In the 1980s and 1990s there were further thefts in museums in Nigeria, including the museum in Jos. Several Ife pieces were stolen. No doubt Nigerians were also actively involved in those thefts. We need to find out how those pieces were stolen and how they were then marketed in the West. This is not just a Western affair."

Adebisi is annoyed by the accusation, adding: "It is true that security in our museums used to be problematic. Nowadays, however, our museums are much more secure. And safe or not, it doesn't matter. The bronze head is ours and it must be returned to Nigeria. There is nothing more to say about that."

Egypt sends former MP to prison for antiquities smuggling

ABC News: The Egyptian courts have jailed former MP Alaa Hassanein and four others for 10 years over antiquities smuggling charges. Hassan Rateb, a prominent businessmen, and 17 others will face five years in prison. All were fined one million Egyptian pounds, or \$54,000 roughly.

“The state news report did not specify what kind of antiquities were being smuggled — but it said that in some cases the convicted had organized and funded secret excavations,” the article reports.

Gaza farmer finds 4,500-year-old statue of Canaanite goddess

BBC News: April 27: Report of an extraordinary discovery: a Canaanite stone statuette dating back to 2500 BC and depicting the face of an ancient goddess.

Discovered by a Palestinian farmer in the southern Gaza Strip city of Khan Younis, the 22cm high statuette is now on display at a museum in Gaza City.

“The discovery of this limestone statue is a reminder of how the strip – part of an important trade route for successive ancient civilisations – was originally a Canaanite settlement,” the article notes.



Above: the newly-discovered stone statuette dating back to 2500 BC. (Photo: Xinhua)

FBI Repatriates Cultural Items

Random Length News: April 27: A particularly interesting report on the repatriation of cultural artefacts – some of them ancient pieces – it lays bare why the authorities are now relying so heavily on Memoranda of Understanding rather than the traditional law enforcement.

No mention is made of the items being seized as result of a crime being identified. Instead, “Kristi K. Johnson, the assistant director of the FBI’s Los Angeles field office said these objects and the heritage they carry with them took an opaque journey into the United States and now have a clear path of return to Peru through proper diplomatic channels.” It is clear from the FBI statement that this is all really about optics, diplomacy and politics. First we are told about the significance of the official process: “Repatriation ceremonies are important displays of the goodwill shared between nations — and today — specifically between The Republic of Peru and the United States. These ceremonies are the results of significant effort by personnel from both countries, including those from the diplomatic, law enforcement and academic communities.”

Having referred to the self-interest of those from whom the items were seized and talked of the FBI’s commitment to tackling trafficking, it turns out that the organisation had suspicions but no evidence of wrongdoing in the case of the ancient artefacts.

Acquired in 2014 as part of the largest seizure of such items in the FBI’s history, they came from the private collection of amateur archaeologist Donald Miller, “who had likely acquired these items in contravention of state and federal law, and international treaties”.

The lack of evidence meant resorting to the MoU: “The cultural property being returned today is in furtherance of a bilateral agreement with the United States and the Republic of Peru, which was signed in June 1997 and has been extended and amended since then.”

‘Totally dysfunctional’: Sophie in ‘t Veld on the EU’s relationship with democracy

The Guardian: April 28: One of the most astonishing features of this interview is that it appears in The Guardian, arguably the most pro-EU newspaper in the UK. Its relevance to IADAA and the art market is that Dutch MEP Sophia in ‘t Veld publicly accuses the EU institutions, including the European Commission, of exactly the failings and democratic deficit that the art market has been complaining about for years, particularly with reference to both the recent import licensing regulations for cultural property and the ivory ban. In answer to critics who attack her views, she says: “Since when is parliamentary scrutiny considered to be an attack? I think it’s an attack on democracy if there is no parliamentary scrutiny.”

Recognising that a root-and-branch restructure of the institutions is unlikely, she is calling for “more transparency” about how the European Council makes decisions.

A compelling debate, boldly presented.