



[Antiquities Forum launches](#)



IADAA has joined forces with the Antiquities Dealers' Association to tackle anti-trade propaganda and promote accurate facts and information about the antiquities market. The move comes after the ongoing failure of the authorities – from lawmakers to law enforcement and NGOs – to tackle the failure of intelligence, much of which comes from their own sources: official reports, press releases and other material used to influence policy.

Antiquities Forum takes the form of a Linked In account for the publication of articles and other posts relating to these matters, and has already published two articles, one on [Responsible Collecting](#), the other on [Zombie Statistics](#) and how they are currently being used to push political agendas, notably in the latest Financial Action Task Force report. Antiquities Forum is part of a wider project to protect and promote the legitimate market in the face of the enormous unwarranted attacks it continues to suffer.

Please help promote the forum as widely as possible, and ask your colleagues, friends and influential contacts to follow the Linked In account as we spread the word.

[A Lawyer's Assessment of the return of the Brutus Aureus](#)

Coins Weekly: March 30: In this exceptional piece of analysis, cultural property lawyer and collector Peter Tompa forensically exposes the ethical concerns that shadow New York law enforcement's activities when it comes to the seizure and disposal of cultural objects. Although the article initially focuses on the Roma Numismatics case involving Richard Beale, at the heart of its arguments are questions over the apparent harnessing of judicial power and process for political means – what Tompa refers to as the Manhattan District Attorney's "none-too-subtle repatriationist agenda".

Assistant District Attorney Matthew Bogdanos, who seems to run the DA's Antiquities Unit as a personal crusade, has taken advantage of obscure New York State law to claim jurisdiction well beyond the state's boundaries. What Tompa refers to as the real underlying concern of the "ends justifies the means" approach of this campaign raises ethical questions as ADA Bogdanos asserts his authority over any artefact that passes through New York: "But why should citizens of other countries or other states suffer threats of criminal prosecution from a local prosecutor because 'all roads lead to New York'? Indeed, one unethical standard operating procedure is to send threatening criminal subpoenas out of state demanding compliance, even though such subpoenas have no force in law."

Where an individual or group genuinely believes that the ends justify the means, they tend to lose perspective, blurring the boundaries of what is acceptable and what is not. From there, the rot sets in.

Whatever the outcome of the Beale case, Tompa questions the treatment of the unnamed innocent collector who voluntarily yielded up the \$4.2 million Brutus Aureus, without compensation.

What was the basis upon which the DA's office decided that it was stolen, trafficked and should be sent back to Greece? He quotes the *New York Times'* revelation that the decision "hinged on the statement that 'Experts said they believe the coin was likely discovered more than a decade ago in an area of current-day Greece...'. "Believe" and "likely" are the key words here as they clearly acknowledge the weakness of the evidence.

"If repatriating a coin worth \$4.2 million was indeed solely based on the speculation of unnamed experts, that should concern everyone," concludes Tompa. Without additional evidence to support this "belief", he argues that "any such 'expert opinion' was concocted solely to justify the return, with some confidence that mainstream media wouldn't ask too many hard questions that might call into question the DA's narrative".

This is something IADAA knows a lot about – the DA's office, along with other law enforcement bodies, always have the failsafe fallback of claiming that information that might shed light on the strength of evidence is "classified", thereby keeping it under wraps. As we have long pointed out, what appear to be unjustified seizures leading to repatriation, whether in New York or through customs enforcing Memoranda of Understanding, are unconstitutional. Tompa quotes private property rights under the Fifth Amendment, but the 14th Amendment also applies here, as does every international human rights convention, even as they are roundly ignored. "US laws and the protection of private property rights enshrined in our Constitution demand a far more reasoned, not reactionary, approach," Tompa concludes.

These arguments echoed strongly the following day when it was announced that Manhattan DA Alvin Bragg found himself at the centre of a political storm over his office's decision to indict former President Donald Trump over hush money payments to porn actress Stormy Daniels. Republicans accused Bragg of unlawful political interference, a claim he strongly denied as "baseless and inflammatory" as he defended his position. Behind Republican concerns on the matter is Bragg's campaign to become DA, during which he said that he had sued Trump more than 100 times, including forcing the Trump Foundation to pay \$2 million to charities and close down.

George Washington University law professor Jonathan Turley dismissed the case against Trump as "legally pathetic" and "outrageous", adding that the indictment as reported was "political". House Speaker Kevin McCarthy added: "The American people will not tolerate this injustice, and the House of Representatives will hold Alvin Bragg and his unprecedented abuse of power to account."

Meanwhile Trump rival Ron De Santis said: "The weaponization of the legal system to advance a political agenda turns the rule of law on its head. It is un-American."

Trump may be a polarizing figure and the controversy may have little to do directly with cultural property issues, but in a long overdue move, it has finally put the US national spotlight on the activities of the Manhattan District Attorney's office and started to question what motivates its leaders to act in the way they do.

- Meanwhile the DA's office continues to support the publication of fake news alongside Homeland Security in its official release regarding the return of the Brutus Aureus coin, [D.A. Bragg Returns 29 Antiquities to Greece](#) – perhaps another example of the ends justifying the means. For the second time in recent months, Special Agent in Charge for HSI in New York Ivan J. Arvelo has promoted the false claim – widely acknowledged as such now – that antiquities trafficking is a multi-billion dollar activity: “Antiquities trafficking is a multi-billion-dollar business with looters and smugglers turning a profit at the expense of cultural heritage.”

[French Auction House Calls Mexico's Effort to Stop Sale of Pre-Columbian Artifacts 'Nationalist Opportunism'](#)

ARTnews: March 29: As usual, the Mexican government has publicly demanded the prevention of an auction of artefacts in Paris, this time at Millon. Unusually, the auction house has decided to fight back against the Mexican government's claim, dismissing it as opportunism: “However, the auction house told ARTnews it plans to move ahead with the sale, adding that the Mexican state's requests for restitution are ‘often unsuccessful because they are based on unfounded facts’.”

The auction house has gone further, saying it has met all its due diligence obligations: “The sale of all the objects is maintained because all lots have an irreproachable origin and answer perfectly to the criteria fixed by UNESCO's convention ratified by Mexico and France.”

Millon has taken the fight further, stating: “Pre-Columbian art is a global cultural beacon. Its influence should never be hindered by political obscurantism.”

[Mexico Alleges That New York Gallery Auctioned Hundreds of Illegally Obtained Pre-Columbian Artifacts](#)

ARTnews: March 31: This article provides an enlightening insight into the nature of Mexican national claims over items up for sale.

As the headline claims, the Mexican authorities tried to prevent a New York gallery selling numerous objects, stating that they were stolen. However, the case became far less clear when the Consul General of Mexico in New York City, Jorge Islas López, explained his arguments in detail: “Presumably, those goods were looted or extracted from Mexico in an illegal manner,” Islas López said of all of the pieces identified so far. “It's the job of the corresponding authorities to investigate and if it turns out that our presumption is true, that the report we filed is true, the authorities will execute their power and repatriate the goods.”

[Smuggled Iranian carving worth £30m seized at airport by UK border patrol](#)

The Guardian: April 1: The story of a highly important 2,000-year-old Sasanian rock relief looted and trafficked to London, this article reveals how it was seized at Stansted airport in 2016.

Senior curator St John Simpson explains how the relief was removed from the rock using an angle grinder – traces of felt-tip marks used as a cutting guide remain on the piece.

The one-metre high object had been packed in “haphazard packaging”, “perhaps intended to suggest that it was a worthless item”.

Although theoretically valued at up to £30 million, according to *The Guardian*, its actual value if it were legal would be about £300,000, while its illicit status renders its value at zero, as without any provenance or valid documentation – and it being so obviously looted – no one in the market would touch it.

As Simpson explained: “There’s never been anything like it on the market.”

Publishing vastly inflated prices for objects risks encouraging looters, yet such irresponsibility continues in the media and among law enforcement.

Interpol and the National Crime Agency have investigated the case but made no arrests so far. The packaging was addressed to a UK internet auction site, which said it was not expecting it.

The Iranian government has agreed that the relief will be displayed in the British Museum for three months before being returned.

HSI Cultural Property, Art and Antiquities Program repatriates over 135 artifacts in 2nd quarter of fiscal year 2023

US ICE: April 5: Perhaps realising just how much in the shadow of the New York District Attorney's office it is on these joint operations, Homeland Security has now leapt on the self-promotion bandwagon to claim credit for its part in the seizure and repatriation of countless objects from public and private collections, as well as dealers.

Egypt Is Competing For The Presidency Of UNESCO For The Third Time

Globe Echo: April 6: Egypt has announced that its former Minister of Tourism and Antiquities, Dr. Khaled al-Anani, will be a candidate to become the next Director-General of UNESCO in 2025 – Cairo’s third attempt to secure the NGO’s leadership.

Egypt has previously submitted candidates to run for the position of Director General in 2009 and 2017.

Report identifies art market as a target for organised crime

Art Newspaper: April 7: As the Art Newspaper reports on the FATF study, it also includes criticism from the market about the FATF’s approach, including from IADAA and ADA adviser Ivan Macquisten, whose detailed letter on the subject features in the same issue:

“The report reiterates longstanding claims and concerns over the market providing a platform for organised crime, which is likely to provoke a reaction from the sector, notably around the use of the United Nations Office on Drugs and Crime 2011 claim that illicit proceeds from transnational crime involving art and cultural property could be “as high as \$6.3bn”.

“This claim is challenged by Ivan Macquisten in a letter published in the April 2023 issue of *The Art Newspaper*. He writes that the figure is not “a value for illicit antiquities”, but rather one that “encompassed all art and cultural property”. Even then, he continues, “this was an estimate based on several sources”.

He is not the only critic, however. Nicholas O’Donnell, a partner at law firm Sullivan & Worcester, said: “Diligence and transparency are an important goal, and the art market often falls short... But this report could as well have been an *Indiana Jones* script—long on narrative drama, short on evidence.”

Manhattan D.A. Seizes 11 Allegedly Stolen Artifacts in Princeton Art Museum Collection

Princeton Alumni Weekly: April 7: “The Manhattan District Attorney’s Office seized 11 pieces of art from the Princeton University Art Museum, alleging that the works were stolen, according to documents and statements provided by the district attorney’s press

office,” reports the article. “The March 22 warrants cite an investigation by the Department of Homeland Security-Homeland Security Investigations (DHS-HSI).”

Six of the pieces seized have been on loan to the collection from former New York antiquities dealer Edoardo Almagià, who has been accused of nefarious dealings, and whose traded pieces have been the subject of earlier seizures.

Almagià reportedly gave up the trade 20 years ago, accusing Italy and the United States of criminalising and destroying the antiquities market. He accused the Princeton University museum of being “idiots” for handing the items over.

FBI launches app to help identify stolen art

Art Newspaper: April 11: The FBI has made public access to its [Nation Stolen Art File](#) easier with the launch of a dedicated app.

“Now, with the new mobile upgrade that we’ve undergone, we want to continue to push to make it a more user-friendly platform,” says [Colleen Childers of the FBI’s Art Crime Program](#).

Cracking down on illicit art trade to improve security – The OSCE’s critical role

Organisation for Security and Co-operation in Europe (OSCE): April 13: Another example of a large and influential organisation failing to do its homework and proceeding on the basis of bogus information. This time it is the OSCE, the world’s largest regional security-oriented intergovernmental organization with observer status at the United Nations.

Building on a programme established in 2016, “that focused on raising awareness of the illicit trade of cultural property and gaining a better understanding of the major trends, routes and challenges across the OSCE region”, it is now pushing the terrorism financing propaganda of so many others, but without checking its facts.

Guilty this time of presenting nonsense as ‘fact’ is Cameron Walter, Customs Adviser and Programme Manager of the OSCE Heritage Crime Task Force, who says here: “While it is hard to put an exact number on it, most estimates are between 2-6 billion US dollars per year with direct linkages to organized crime and terrorist financing, money laundering and corruption networks. That fact should make people pay attention to it, let alone the threat to world history and cultures.”

IADAA has sent a strongly worded email to the OSCE correcting the errors and drawing their attention to evidence showing the original source of the bogus claims.

Antiquities Smugglers Arrested on Greek Island of Crete

Greek reporter: April 19: Further evidence that UNESCO has done nothing to correct its false claim that the black market in antiquities is worth €10 billion a year, added to by a further false claim that the publication clearly has not checked: “It is estimated that these illicit activities may make up around 5% of the whole art industry.”

As shown here, on April 19 IADAA contacted the media outlet to explain the errors and ask for them to be corrected, offering proof to show that the claims are false.

We await a response.

Subject *

Your article: **Antiquities Smugglers Arrested on Greek Isla**

Message *

Two claims in this article are false:

- UNESCO, the original source of the \$10 billion claim, has admitted it is not true and has stopped reporting it. I have an email from the most senior Culture official in UNESCO confirming that. I can also prove the basis of its original €10 billion claim is false, which I informed them when they first made it, something I can also prove.
- Illicit trade does not make up 5% of the art market. It is the legal trade in antiquities which does.

I represent the legal antiquities trade, and am trying to improve compliance, best practice etc, as well as working with governments and law enforcement. Fake news like this does not help. One of the major causes is the failure to check sources of information properly. I can supply you with the information needed to demonstrate all of this. I would kindly ask you to correct these errors and will happily supply the evidence to support my arguments.]

Is the Metropolitan Museum of Art Displaying Objects That Belong to Native American Tribes?

ProPublica: April 25: A long-read piece focusing on the Met's collection of Native American artefacts, this is the latest in a long line of probes aimed at uncovering bad faith purchases and donations in US museums, largely based on the lack of documentary evidence to bolster provenance.

It's relevant here because it shows that MENA antiquities are no longer the sole focus of these attentions, underlining the fact that a far wider field of disciplines is under attack, both in the museum world and the market.

France's long-awaited restitution policy is finally here

The Art Newspaper: April 26: It's taken several years, but the Macron-commissioned report into how to form policy relating to the restitution of cultural property is complete. Former director of the Louvre, Jean-Luc Martinez, the author of the report, says he has taken a "pragmatic approach in order to define a framework policy framework for restitutions". Two main criteria will justify restitutions, he says: illegality and illegitimacy. How far the latter will be defined in legal rather than ethical terms remains to be seen.

Martinez attempts to play down curators' concerns by telling *The Art Newspaper*: "Out of the 85,000 objects examined by the Quai Branly museum in Paris, only 300 are problematic and could correspond to these criteria."

He also wants to accelerate the process of return for items that qualify under the rules. Reaction on social media shows that many concerns remain.

High-profile culture and art lawyer Yves-Bernard Debie fears political exploitation of the measures, writing on [Linked In](#): "It is difficult to see how a framework law stamped 'restitutions' would be a better guarantee of the protection of museum collections than the principle of inalienability which until now has prohibited any dispersion. Moreover, the damage is done. Since the Ouagadougou speech and its implementation by emergency laws, any future president knows that he will be able to dispose of public collections in the name of moral principles. In the end, this framework law will be nothing more than the legitimization of a desire for restitution whose real philosophical bases and stakes remain to be defined."